

# ***STILL LOST IN TRANSLATION***

**City Agencies' Compliance with Local Law 73 and  
Executive Order 120: Examining Progress and Work Still  
to be Done**



**Report by:**  
Make the Road New York & the New York Immigration Coalition  
**July 2010**

## **Acknowledgements**

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### **Robert Sterling Clark Foundation**

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The Robert Sterling Clark Foundation provides financial assistance to strengthen government and cultural institutions in New York City. The Clark Foundation's conviction that "government agencies and employees will deliver better services to the public in a more cost-effective manner if their activities are examined, evaluated and held up to public view" formed the basis for their support of this project.

### **Make the Road New York**

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Make the Road New York (MRNY) is New York City's largest community-based, membership organization that promotes economic justice, equity and opportunity for all New Yorkers through community and electoral organizing, strategic policy advocacy, leadership development, youth and adult education, and high quality legal and support services.

### **New York Immigration Coalition (NYIC)**

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The New York Immigration Coalition is an umbrella advocacy organization for approximately 200 groups in New York State that work with immigrants, refugees, and asylees. NYIC brings together multi-ethnic, multi-racial, and multi-sector constituencies to improve access to government services, combat discrimination and advocate for equitable immigration policies.

### **South Asian Council for Social Services (SACSS)**

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South Asian Council for Social Services, SACSS, was created to empower underserved South Asians to actively engage in the civic and economic life of New York City. SACSS is a not-for-profit organization that provides services to underserved South Asian and Indo-Caribbean communities in New York.

### **Korean Community Services (KCS)**

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Korean Community Services supports and assists members of the Korean American Community address their critical needs, solve complex problems, and adapt to a new cultural, economic, and social environment. Currently, KCS serves over 1,100 individuals a day at six different locations.

### **Individuals**

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Surveys were conducted by individual staff and members of the above organizations as well as by student participants in the Law, Organizing and Social Change Clinic at NYU School of Law. Special thanks to Amanda Cats-Baril for preparing the following report, as well as to Peter Frase for conducting the data analysis, and providing technical support. Additional thanks to Deva Cats-Baril for her assistance with statistical analysis.

## Executive Summary

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Make the Road New York (MRNY) and The New York Immigration Coalition (NYIC) led a campaign and were instrumental in passing the two laws—Local Law 73 and Executive Order 120—that collectively call for city government agencies to provide free translation, interpretation and other communication assistance services to limited-English-proficient (LEP) New Yorkers. Local Law 73 was due to be fully implemented over the course of 2009, whereas Executive Order 120 required all impacted City agencies to provide language services and have a coherent implementation plan in place by January 2009. With the generous support of the Robert Sterling Clark Foundation, MRNY and NYIC in partnership with Korean Community Services of Metropolitan New York (KCS), and South Asian Council for Social Services (SACSS) surveyed individuals who had interacted with staff of the Human Resources Administration (HRA), Department of Housing Preservation & Development (HPD), and New York City Police Department (NYPD) to assess how well government agencies were implementing language access programs. By monitoring the implementation process, MRNY and NYIC hoped to identify areas of progress as well as obstacles that have prevented the legal mandates embodied in Local Law 73 and Executive Order 120 from being fully realized.

## Key Findings

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In brief, we found that:

- **Many agencies are failing to provide language assistance to LEP New Yorkers. HRA failed to provide language assistance to 44% of those surveyed, NYPD failed to provide services to 67% of those surveyed and HPD failed to provide services to 61% of the LEP individuals surveyed.**
- Limited English proficient respondents were frequently unaware of the availability of language services.
- There is great disparity in the quality of language access services between language groups, between boroughs, between agencies and among the three Human Resource Administration programs, there are significant differences between the different HRA programs.
  - Queens-based offices provide the best services overall
  - Speakers of Korean and South Asian languages are suffering from particularly poor services
  - Spanish-speakers have access to the best services, although significant language barriers remain
  - Over all Medicaid offices are better at providing broad language assistance services than both Food Stamp and Job Center/Public Assistance offices. Medicaid and Food stamps offices were best at providing direct assistance.
- There have been some positive signs regarding the implementation of language access plans.
  - Survey participants noted that when they did receive language access services they were generally of high quality.

- Nearly 60% of respondents reported receiving some form of assistance at HRA offices. However, far fewer received assistance at HPD or NYPD.

## Recommendations

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Based on the conclusions presented throughout this report, we have developed the following recommendations which would help the New York City government come into compliance with local and federal laws:

### **Increase Access**

- ❖ Develop roaming welcome/greeter personnel to help clients navigate the agency. This staff person would greet people as soon as they enter the building before going through security.
- ❖ Match LEP individuals with bilingual caseworkers who speak their primary language. This can be done by permanently coupling LEP individuals and bilingual workers, or by creating standing pools of bilingual workers who speak specific languages. When an LEP claimant arrives at an HRA office for an appointment, or to seek assistance, s/he should be automatically matched with a bilingual caseworker who speaks their language.
- ❖ Ensure that agency-generated documents are translated into client's primary language (in the required or covered languages) and that all interactions with agency staff are interpreted.
- ❖ Provide equitable access to all forms, pamphlets, and fliers in all of the primary languages.
- ❖ Increase community outreach and public education.
- ❖ Improve services to South Asian clients, such as by focusing hiring efforts on individuals who speak relevant languages and/or have experience working with South Asian communities.

### **Improve Signage**

- ❖ Signs indicating the availability of language access services should be larger and better placed; for example, at entrances (before security) and wherever clients routinely interact with staff.
  - i. Audit signage throughout the facility in the next three months
  - ii. Standardize adequate signage throughout facilities within six months
  - iii. Commit to conducting facility audits annually.

### **Improve Staff Training**

- ❖ Provide agency staff with improved training on providing language access. Mechanisms may include, but are not limited to:
  - i. Printed guides distributed to all staff
  - ii. Printed guides included in new staff training materials
  - iii. Annual trainings conducted for all staff

- ❖ Issue a training plan that will include the training of all frontline workers within one year (and at regular intervals thereafter) on:
  - i. Agency language access policies
  - ii. Procedures to obtain interpreters/translated documents
  - iii. Diversity and cultural competence issues

### **Increase Accountability**

- ❖ Issue letters or directives from the Commissioners of HRA, HPD and NYPD stating:
  - i. All LEP clients have right to interpreter
  - ii. No one should be told to bring someone to interpret with them
  - iii. If no bilingual staff available, use language line
  - iv. No one should be turned away because they cannot communicate in English
  - v. No one should be made to wait unreasonably long for an interpreter
- ❖ Add quality of provision of language access services to staff performance evaluations
- ❖ Create incentives for staff who use multiple language skills during the course of their work, and develop a training and certification system to ensure that agency staff are qualified to provide interpretation before they are tasked with interpretation duties.
- ❖ HRA agencies should institute an annual audit process to assess the provision of language services such as an on site “secret shopper” or random testing system. The Mayor’s Office of Operations should review the audit process and results.
- ❖ The Mayor’s Office of Operations should conduct an annual survey of clients to assess availability, quality and timeliness in the provision of language services.

### **Increase Transparency**

- ❖ Make public the names of the LESA Liaisons and Language Access coordinators and post in all offices with contact information.
- ❖ Present advocates with a Monitoring Plan that will include, in addition to what is in Language Plan, a case file review. This would include the random review of 400 cases citywide that are coded as LEP to determine compliance with LL73, including whether translated notices were sent over the past 6 months and whether interpreters were provided in-person and on the telephone. An additional 350 cases which are not coded as LEP should be reviewed to determine whether the cases were properly coded and whether language services and documents were provided in the client’s language when appropriate.
- ❖ Commit to quarterly meetings with MRNY, NYIC, and other advocates to report on progress of the above steps.

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**PERSONAL PERSPECTIVE:  
REAL CONSEQUENCES OF LACK OF  
LANGUAGE ACCESS**

*"I have seen with my own eyes that in the [agency offices] there are many people being victimized and discriminated against as a result of their language or national origin. The abuses and the discrimination are not just hurting our feelings though. They are hurting our ability to feed our children..."*

## The Significance of Equal Access to Government Services

New York City depends on immigration—it is a city built on immigrant activities and economic contributions. In 2008, immigrants represented 36.4% of the City's population and 43% of its workforce. Neighborhoods around the city have flourished on account of successful immigrants, who have been a major factor in New York City's economic growth; in fact, the ten neighborhoods with the highest concentration of foreign-born residence experienced more economic growth than the rest of New York between 2000 and 2008.<sup>1</sup>

Despite our dependence on immigrants, however, the City often fails to provide this

population with the services they need.

The size of the immigrant population in New York is reflected in the diversity of languages used in the City. Spanish speakers constitute the largest linguistic minority in the City with 20% of all New York households headed by Spanish-speakers.<sup>2</sup> Immigrant minorities are amongst the City's most economically vulnerable

*"Immigrants built New York City and drive its economy – in fact, foreign-born workers accounted for \$215 billion in economic activity in 2008, almost a third of the gross city product. It's clear how invaluable newcomers are to the City's economic life."*

**-Thomas DiNapoli, NY State  
Comptroller**

**Top Ten Languages Spoken at Home in New York City (Based on Census Data 2000)**

Languages Spoken at Home	Population (5 Years Old and Up)
Speaks only English	3,920,751
Spanish or Spanish Creole	1,832,448
Chinese	323,529
Russian	194,602
Italian	139,536
French (incl. Patois, Cajun)	105,821
French Creole	89,039
Yiddish	82,732
Korean	77,120
Polish	60,604

groups and therefore

rely on important municipal services like Medicaid, Job Assistance, police protective services, and food stamp programs.

When immigrants approach these agencies for services, they should be serviced in their own language and provided with forms that they can read so that they understand the nature of the services they are receiving and the responsibilities they are incurring.

Altogether, one-in-four New York

<sup>1</sup> Thomas P. DiNapoli, *The Role of Immigrants in the New York City Economy* Report 17-2010 (Jan 2010).

<sup>2</sup> Drum Major Institute, *City Services in the Languages People Speak*, Dec. 31 2008. Accessed at <http://www.maketheroad.org/article.php?ID=747>.

residents is limited-English-proficient (LEP), with an inhibited ability to complete applications for government benefits, reply to government's request for information, or effectively interact with government agencies.

## A History of Inaccessible Services

When millions of people are unable to understand the staff, documents and/or other information at government offices, they are unable to express their needs or ensure that they are getting the services they are entitled to from their local government. As one Spanish-speaking immigrant noted in 2000, with so few workers who speak Spanish at welfare offices, "people don't understand me, I can't explain to them what I need."

Responding to a civil rights complaint from Make the Road New York, The New York Immigration Coalition and others, in October of 1999, the U.S. Department of Health and Human Services issued a Letter of Findings that identified widespread civil rights violations within New York City's Human Resources Administration (HRA) offices. In 2001, MRNY's and NYIC's research on limited English proficient immigrants' access to New York City agencies, hospitals and the public school system found interpretation and translation services to be severely insufficient.

A survey of limited-English-proficient parents run by MRNY and NYIC found that nearly half the respondents had "never" or "rarely" received written information translated into their native language from their child's school, their school district, or the Department of Education. Interviews at HRA offices around the city showed that 77 % of Spanish and Creole speaking, LEP

### SEVERE CONSEQUENCES OF FAILURE TO PROVIDE TRANSLATION SERVICES

Results from Surveys Conducted  
with Spanish and Creole LEP  
Individuals at Public Assistance  
Offices in 2000

**47%** reported not receiving  
their benefits or having them cut  
unjustly

**32%** felt discriminated against

**30%** felt humiliated

individuals who visited Human Resource Administration (HRA) Public Assistance offices did not receive *any* translation services from staff and 84% were never informed that translation services were available.

Similarly, language barriers prevent limited English proficient New Yorkers from fully accessing the NYC Department of Housing Preservation and Development. Language barriers inhibit the ability of LEP New Yorkers to get information on housing subsidies, educational programs, and the legal rights and obligations of owners and tenants. LEP tenants face challenges in their efforts to report violations, communicate with HPD staff when violations are inspected and participate in any subsequent follow-

up to an HPD inspector's visit. This compounds the already significant housing challenges of



immigrant tenants, particularly low-income immigrant tenants, who on average, have higher rent burdens and are more likely to live in housing with poor conditions, such as overcrowding or HPD violations<sup>3</sup>.

Sixty percent of the individuals surveyed by members of the New York Immigrant Housing Collaborative in 2008 reported they were unaware of the existence of housing information and legal services in their community that they could access in their language<sup>4</sup>. This confirms the results of the 2006 *Hear This!* report by Communities for Housing Equity (CHE) which found that 62% of tenants surveyed were unaware that any City agency existed to address housing concerns<sup>5</sup>. The result of this lack of information is profound; although 60% of those surveyed lived with at least one critical housing violation, only 18% had filed a complaint report with HPD.

The correlation between English language capacity and complaint levels is further strengthened by a 2007 report by CHE and the CUNY Center for Urban Research which found that communities with higher percentages of linguistically isolated households have lower complaint volumes even after controlling for housing quality<sup>6</sup>.

The 2006 *Hear This!* data show that LEP New Yorkers are less likely to know about HPD than English proficient tenants. This has a direct impact on housing code violation reporting. English proficient tenants were twice as likely to report violations. Only 20% of total respondents were able to communicate in their (non-English) primary language; 55% either were unable to file a complaint or supplied their own interpreter-- usually relatives, neighbors, friends and frequently minor children.

It is impossible for the New York City government to address the inadequacies described above and effectively provide services to all New Yorkers without establishing language access policies that are comprehensive in scope and adequately enforced. This necessitates publishing materials in multiple languages, hiring employees who speak languages other than English and creating clear mechanisms for accountability. Well designed and implemented Language Access policies enable communication between vulnerable populations and the City government and allow the government to effectively serve New York's diverse population.

<sup>3</sup> Michael Schill et al. "The Housing Conditions of Immigrants in New York City," *Journal of Housing Research*, Vol. 9 No. 2, Fannie Mae Foundation, 1998.

<sup>4</sup> Pratt Center for Community Development and the New York Immigrant Housing Collaborative (2008), *Confronting the Housing Squeeze: Challenges Facing Immigrant Tenants, and What New York Can Do*.

<sup>5</sup> Communities for Housing Equity, "Hear This! The Need for Multilingual Housing Services in New York City," prepared by the Community Development Project of the Urban Justice Center, 2006.

<sup>6</sup> CUNY Center for Urban Research and Communities for Housing Equity, "Living in Isolation: issues of access to City housing services among immigrant New Yorkers". 2007.

## Legal Landscape

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*“Simple justice requires that public funds, to which all taxpayers of all races [colors, and national origins] contribute not be spent in any fashion which encourages, entrenches, subsidizes or results in racial [color or national origin] discrimination.”*

-John F. Kennedy, 1963

### National Legislation

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**Title VI of the Civil Rights Act** forbids discrimination on the basis of race, color, and national origin against recipients of federal programs and funding. Title VI requires that agencies receiving federal funding take affirmative steps to ensure meaningful access to services, benefits, programs and information for LEP individuals. The Supreme Court has also held that Title VI specifically entitles LEP individuals to language assistance.<sup>7</sup>

**Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency** was issued by President Clinton in 2000 and reaffirmed by President Bush in 2001 in order to help agencies avoid violating Title VI’s

prohibition on discrimination on the basis of national origin when dealing with LEP clientele. EO 13166 requires Federal agencies to identify LEP persons’ specific needs and implement a system that addresses these needs.

### Local Legislation

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Attempts to use Title VI to guarantee immigrants’ linguistic access to government services in New York have been hamstrung by enforceability problems, highlighting the need for local legislation requiring government agencies to provide free interpretation and translation assistance to limited-English-proficient residents.

**Local Law 73**, signed on December 22, 2003, aims to eliminate obstacles faced by New York City’s LEP residents seeking social services from the Human Resources Administration and the Department of Social Services. The law purports to do this in two ways. First, under section 8-1003, free language assistance in covered languages is provided to facilitate all interactions between LEP individuals and HRA offices, including job centers, food stamp offices, and medical assistance program offices. Second, under section 8-1004, documents concerning services provided by the HRA—including applications and instructional materials, notices regarding changes in service, issuance or denial of services, and information about a participant’s rights to services—will be translated and available in the covered languages. “Covered languages” are: Arabic, Chinese, Haitian Creole, Korean, Russian, and Spanish.

**New York City’s Chancellor’s Regulation A-633** was implemented by the Department of Education in 2006. The Regulation defines procedures for ensuring that LEP parents have a

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<sup>7</sup> *Lau v. Nichols*, 414 U.S. 563 (1974).

“meaningful opportunity to participate in and have access to programs and services critical to their child’s education.”<sup>8</sup> Among other things, the regulation requires that: documents containing critical information regarding a student’s education are made available in the languages covered by Local Law 73; data is collected regarding the primary language spoken by parents; and translation and interpretation services are available for parents.

### **SIGNING EXECUTIVE ORDER 120**

***“All New Yorkers should have the same access to the same services and the same opportunities. This Executive Order will make our city more accessible.”***

**-Mayor Bloomberg, in signing Executive Order 120**



***“This Executive Order strengthens our City’s commitment to serving immigrant families and communities and recognizes that language should not be a barrier between any New Yorker and the vital services that we all need to lead a safe and healthy life.”***

**-Guillermo Linares, Former Commissioner, Mayors Office of Immigrant Affairs**

**Executive Order 120**, signed by Mayor Michael Bloomberg on July 22, 2008, took effect immediately and established a uniform policy and standards for city agencies dealing with LEP persons. Referencing the passage of Local Law 73, Title VI of the Civil Rights Act of 1964, and Presidential Executive Order 13166, Executive Order 120 requires language access services in the top six spoken languages in all city agencies that provide “direct public services.” The Executive Order defined “direct public services” as “services administered by an agency directly to program beneficiaries and/or participants.”

Upon passage of the Executive Order, all implicated agencies were required to appoint a Language Access Coordinator to oversee the development and implementation of the agency’s language access program. By January 1, 2009, each agency’s program had to be designed and an implementation plan had to be put into place. Immigrant rights organizations have called Executive Order 120 the most comprehensive language access plan in the country, a “national example,” and one that will “serve as a model for other localities pursuing similarly proactive policies.”<sup>9</sup>

### **Law v. Reality**

The passage of Local Law 73 and Executive Order 120 signified New York City’s commitment to eliminating language barriers, but MRNY and NYIC’s experience monitoring and evaluating agencies’ implementation of and compliance with both federal and local laws reveals a disparity between the legal mandates and the services LEP individuals actually receive in the City.

<sup>8</sup> NYC Department of Education, Rules and Policies: Language Access Plan. Accessed at <http://schools.nyc.gov/RulesPolicies/languagepolicy.htm>

<sup>9</sup> Drum Major Institute, *City Services in the Languages People Speak*, Dec. 31 2008. Accessed at <http://www.maketheroad.org/article.php?ID=747>.

### **Methodology in Brief: Monitoring HRA's, HPD and NYPD Language Access Programs**

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To collect data on LEP individuals' interactions with HRA, HPD and NYPD, the NYIC created a survey instrument and an institution walk-through tool. Staff and members of MRNY, with the support of staff from KCS and SACSS, conducted interviews at HRA offices around the city and conducted a walk-through study in which they assessed public notices and assistance for limited-English-proficient individuals. Interviews were also conducted with individuals who had interactions with HPD and NYPD. The surveys were conducted in varied locations including public spaces and community based organizations' offices. The purpose was to determine if clients whose primary language is Urdu/Hindi, Bengali, Korean or Spanish were receiving the language services they are entitled to under law. Both Korean and Spanish are "covered languages", meaning that Local Law 73 requires HRA to provide both translation and interpretation in these languages. The South Asian languages reviewed in this report, Urdu/Hindi and Bengali, are not "covered languages" as defined by Local Law 73. EO120 gives agencies wide latitude in determining which six languages to select as covered languages, requiring agencies to provide services in these languages and others where appropriate.

For this report we distinguished between direct language/communication assistance from indirect assistance methods. Direct communication assistance, for this report, is defined as instances where the primary agency staff person communicates directly with an LEP individual in the client's primary language. Other forms of language assistance include indirect methods such as telephonic interpretation and third party interpretation provided by agency staff. Although direct communication is the preferred language service provision method, indirect methods are also acceptable. Both direct and indirect assistance types are verbal and are distinguished from written materials presented to respondents before or after interactions.

In total, MRNY, KCS, and SACSS staff surveyed 680 service recipients at 35 New York City HRA offices. These recipients reported 735 separate visits to public agencies: 10 job centers/public assistance offices, 12 Medicaid offices, and 13 food stamp offices. Of the 735 visits, 109 were at job centers, 317 were at Medicaid offices, and 309 were at food stamp offices (See Figure I). 33 walk-through site reviews were conducted at 23 sites. Multi-program sites were assessed multiple times. The survey targeted limited-English-proficient individuals whose primary language was Spanish, Korean, Bengali, or Urdu/Hindi and who sought or received services from the HRA since January 2009. The sample sizes of individuals interacting with HPD and NYPD were significantly smaller. 53 Individuals were interviewed who had interacted with HPD and 114 who had interacted with NYPD. These surveys targeted limited-English-proficient individuals whose primary language was Spanish, Korean, Bengali, or Urdu/Hindi and who interacted with HPD or NYPD since April 2009.

See *Appendix A* for a more detailed description of our research methodology.

## **Findings**

### **Human Resources Administration (HRA)**

#### **History of Violations**

HRA is responsible for helping individuals and families that need social and economic services reach a point of self-sufficiency; HRA serves more than 3 million clients and has 15,000 employees citywide<sup>10</sup>. As discussed above, according to both national and local legislation, HRA is forbidden from discriminating against people because of national origin and, consequently, language use. However, when the U.S. Department of Health and Services issued its Letter of Findings in 1999, it was critical of New York City's HRA. The Letter of Findings stated that within the HRA, LEP claimants were routinely "denied language interpreter assistance"; "bilingual staff and resources were insufficient" to serve LEP clientele; and, "the lack of adequate translation or interpreter services imposes significant barriers" for LEP persons.

***These problems should have been rectified by implementation of Local Law 73 and Executive Order 120. However our findings show that although significant progress has been made, HRA offices are still failing to abide by language access laws. Not only is the HRA violating the law, it is also failing to satisfy the requirements established under its own Implementation Plan issued in 2009.***

#### **MEMBER STORY:**

##### **LEP INTERACTIONS WITH HRA**

Irania Sanchez is a Nicaraguan immigrant with two American-born daughters, one of whom is afflicted by severe bronchial problems. Even after national criticism of HRA treatment of LEP individuals, Irania continued to have horrible experiences when applying for welfare benefits. "My social worker treated me very badly, saying insulting things about Hispanic people ... Every day I am seeing the problems immigrants have accessing services worsening and it breaks my heart to see many people desperate because their rights have been violated. I want the government to respect the civil rights of low-income people who do not speak English."

### **Finding: HRA Offices fail to fulfill their legal obligations and language access services do not meet the majority of LEP needs**

#### **Findings across HRA Programs**

We investigated client interactions at three HRA office types: job centers, Medicaid offices, and food stamp offices. Some survey participants had experiences with multiple departments, while

<sup>10</sup> [http://www.nyc.gov/html/hra/html/about/about\\_hra\\_dss.shtml](http://www.nyc.gov/html/hra/html/about/about_hra_dss.shtml)

others had only visited one. For this report, we included only responses from participants who said they were not comfortable speaking English.

Here, we discuss language services aggregated across all HRA office types.

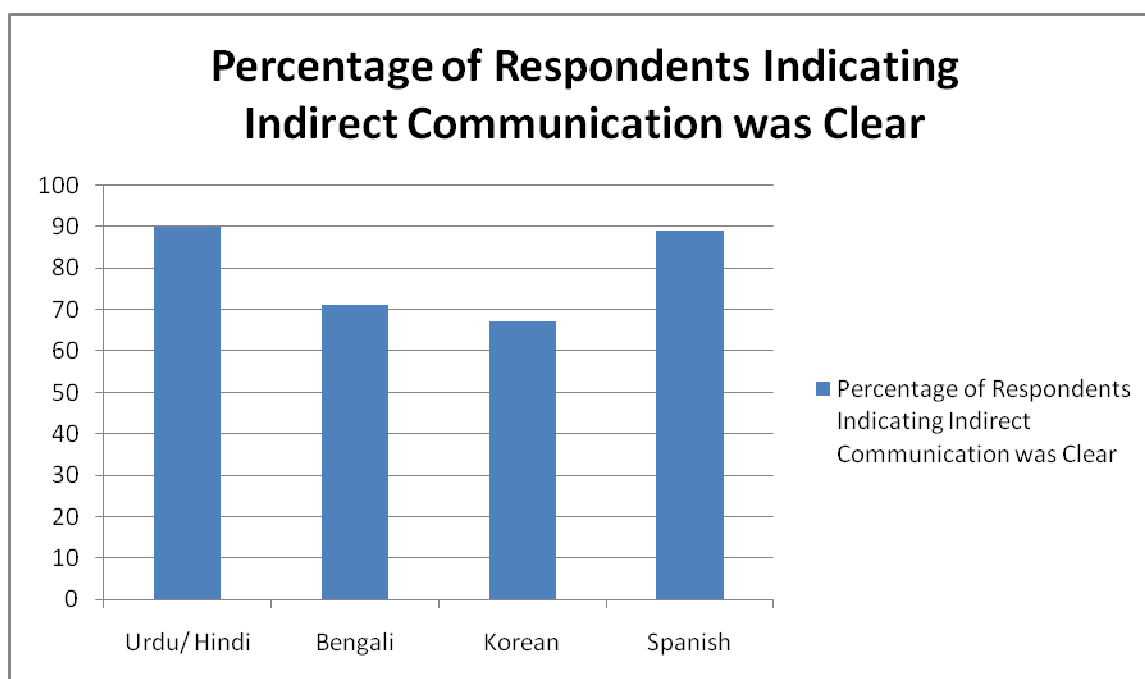
### Some progress has been made ...

Nearly **60%** of respondents reported receiving some form of assistance at HRA offices, compared to only **33%** reporting receiving such services in 2001

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When indirect language assistance was provided it was generally of good quality. Across all language groups and HRA programs, **at least two-thirds indicated that the communication they received was clear and understandable<sup>11</sup>**.

**Figure 1 Quality of Indirect Language Assistance**



<sup>11</sup> For the purposes of this report, direct communication assistance, is defined as instances where the primary agency staff person communicates directly with an LEP individual in the client's primary language. Other forms of language assistance are defined as indirect, these include: telephonic interpretation and third party interpretation provided by agency staff. Both direct and indirect assistance types are verbal and are distinguished from written materials presented to respondents before or after interactions.

### **However, legally-required language access services are severely under-provided**

*Despite New York City and State's legal obligations, under its own laws as well as Title VI of the Civil Rights Act, to provide translation and interpretation services to LEP individuals:*

**44%** of survey participants did not receive any communication assistance from the HRA office they visited.

**67%** of survey participants reported not receiving direct communication assistance from the HRA office they visited

**72% NEVER** saw signs notifying them about the availability of services

### **And the provision of services is uneven across language groups and office type**

While **61%** of all surveyed Medicaid clients received language services, only **7%** of Korean speaking Food Stamp clients received such services.

Only **3%** of participants at Food Stamp Offices reported use of a telephone interpreter; while **14%** of participants at Medicaid offices had access to this service. The percentage accessing any language services on-site was also higher at Medicaid offices (**61%**) than at food stamp offices (**54%**).

**Table 1: Persons receiving any language assistance, direct or indirect, by HRA program and language**

	Urdu/Hindi	Bengali	Korean	Spanish	All
<b>Job Centers</b>	<u>45%</u>	<u>50%</u>	<u>50%</u>	<u>53%</u>	<u>50%</u>
<b>Food Stamps</b>	<u>8%</u>	<u>50%</u>	<u>7%</u>	<u>58%</u>	<u>54%</u>
<b>Medicaid</b>	<u>52%</u>	<u>50%</u>	<u>30%</u>	<u>70%</u>	<u>61%</u>
<b>All HRA</b>	<u>41%</u>	<u>50%</u>	<u>26%</u>	<u>62%</u>	<u>56%</u>

### **Finding: Language access services vary by language group**

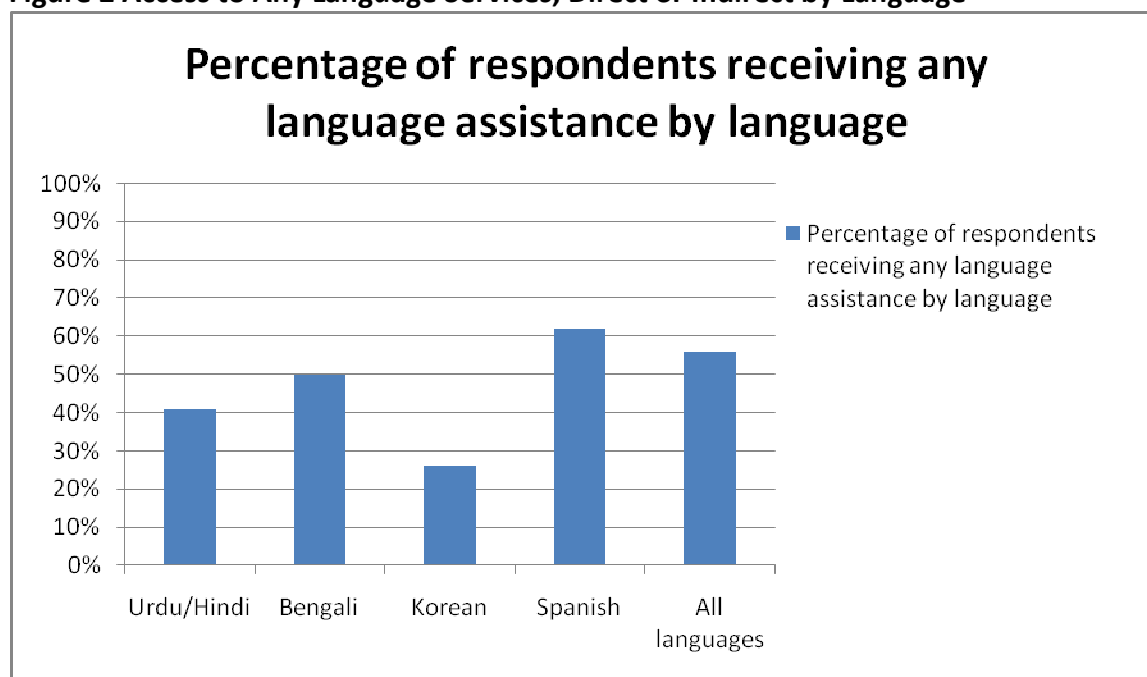
When comparing surveys conducted according to language of participant, we found that each language group experiences language services at job centers, Medicaid offices, and food stamp offices differently.

While **62%** of surveyed Spanish speakers received language services at HRA offices, only **26%** of Korean speakers received such services.

- ❖ At all HRA agencies, Spanish-speaking respondents reported better access to language services than Urdu/Hindi, Korean and Bengali speakers

- **54%** of Spanish-speaking clients reported receiving written materials during their visit in Spanish, however non-Spanish speakers combined received written materials only **15%** of the time

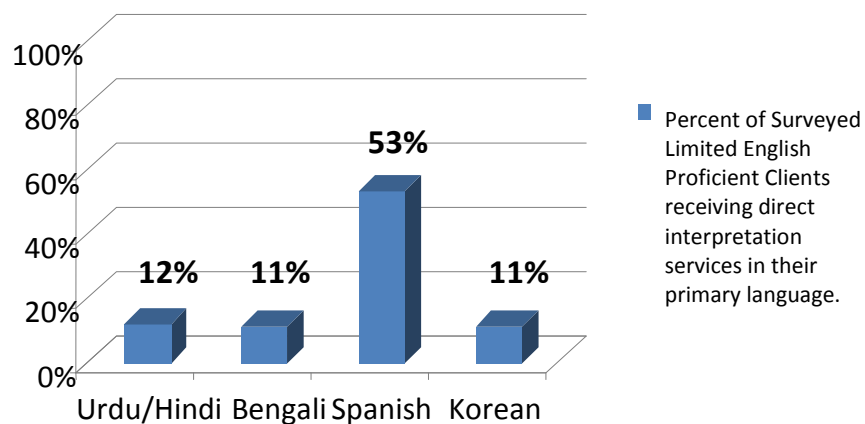
**Figure 2 Access to Any Language Services, Direct or Indirect by Language**



**Figure 3 Access to Direct Language Services by Language**

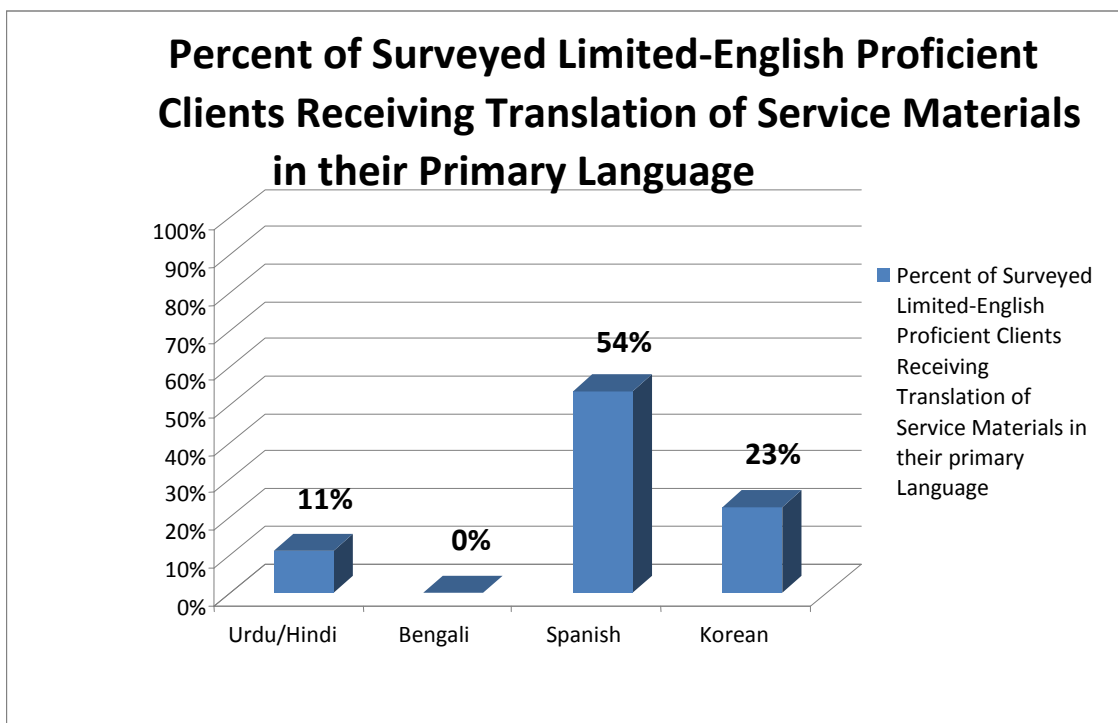


### Percent of Limited-English Proficient Clients Receiving Direct Language Services in their Primary Language



**Figure 4** illustrates results on written language services, showing similar disparities between different language-speakers' access to services.

**Figure 4. Access to Language Services by Language**



### Findings on Access Disparity between Language Groups

- ❖ Spanish-speakers were more likely to receive language assistance and translated materials than were the other language groups. Nonetheless, even Spanish-speakers faced significant and unlawful language barriers.
- ❖ The disparity was particularly evident with respect to written materials, with Spanish-speakers being twice as likely to receive translated materials during their visit as any other of the surveyed populations.
- ❖ Only Spanish speakers reported receiving translated materials by mail after their visit.
- ❖ For non-Spanish language groups, whether or not a language was a covered language according to LL73 did not necessarily correlate to better access to services. On several occasions South Asian language speakers received comparable and on some occasions, better access than Korean speakers, although Korean is a covered language under Local Law 73.
- ❖ Koreans fared the worst with regard to language access. Of all the groups, they were the least likely to receive language assistance in office, to have a regular caseworker who speaks Korean, and to receive translated written materials in the office.

**Table 2 (next page)** summarizes the results of the surveys across all boroughs and office types by language. **Figure I** demonstrates the disparity in access to services based on primary language.

**Table 2: HRA Survey Results by Client's Primary Language**

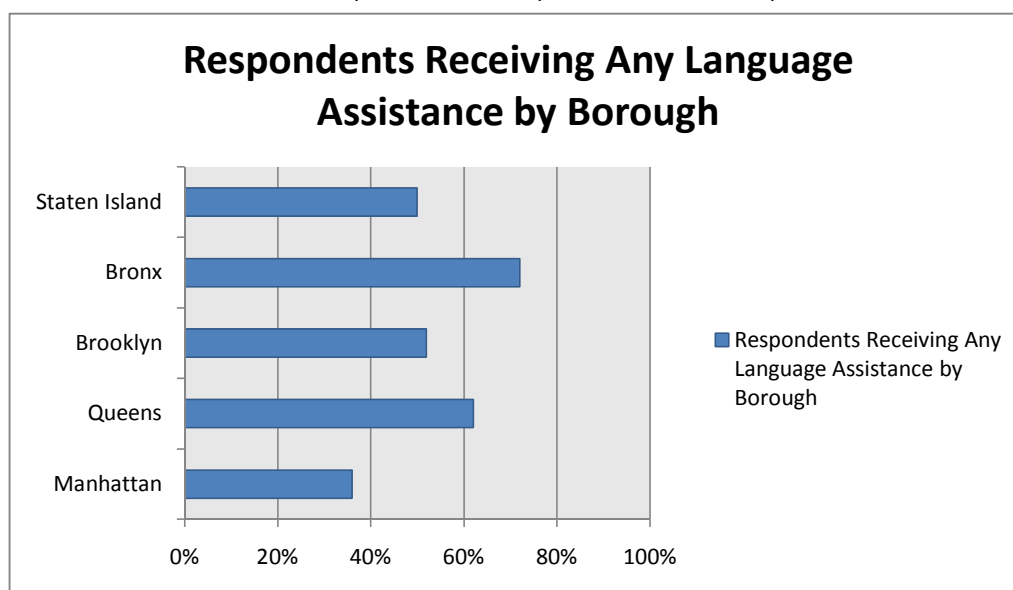
	Urdu/ Hindi	Bengali	Korean	Spanish
<b>Total Number of Client Surveys</b>	56	19	65	595
% receiving direct communication in their primary language	7 (12% )	2 (11% )	7 (11% )	318 (53% )
% receiving indirect language services	20 (36% )	7 (37% )	15 (23% )	201 (34% )
<b>Among those receiving indirect help</b>				
% receiving language interpretation assistance in office	10 (50% )	4 (57% )	14 (93% )	119 (59% )
% Receiving language assistance by phone	8 (40% )	3 (43% )	1 (7% )	47 (23% )
Communication was clear	18 (90% )	5 (71% )	10 (67% )	179 (89% )
<b>Regular Caseworker [CW]</b>	19 (34% )	6 (32% )	2 (3% )	86 (14% )
Among those with regular CW, % saying CW speaks their primary language	6 (32% )	3 (50% )	0 (0% )	61 (71% )
Saw signs about language services	5 (9% )	6 (32% )	18 (28% )	175 (29% )
<b>Received translated materials during visit</b>	6 (11% )	0 (0% )	15 (23% )	323 (54% )
Among those receiving, % receiving translated Application	0 (0% )	0 (0% )	10 (67% )	199 (62% )
Among those receiving, % received translated Information on applying	4 (67% )	0 (0% )	0 (0% )	118 (37% )
Among those receiving, % received translated information on using service	1 (17% )	0 (0% )	1 (7% )	90 (28% )
Among those receiving, % received other translation service	0 (0% )	0 (0% )	3 (20% )	46 (14% )
<b>Received translated materials after visit</b>	0 (0% )	0 (0% )	0 (0% )	270 (45% )
Among those receiving materials, % receiving all materials translated	0 (0% )	0 (0% )	0 (0% )	130 (48% )
Among those receiving, % receiving some materials translated	0 (0% )	0 (0% )	0 (0% )	140 (52% )

## Finding: Language access services vary by borough

While **72%** of those surveyed who visited HRA offices in the Bronx received some form of language assistance, only **36%** of individuals in Manhattan received such services.

Figure 5. Percentage of respondents receiving any language assistance by borough

\*Note: Totals will not equal 100% of sample because some respondents omitted their borough.



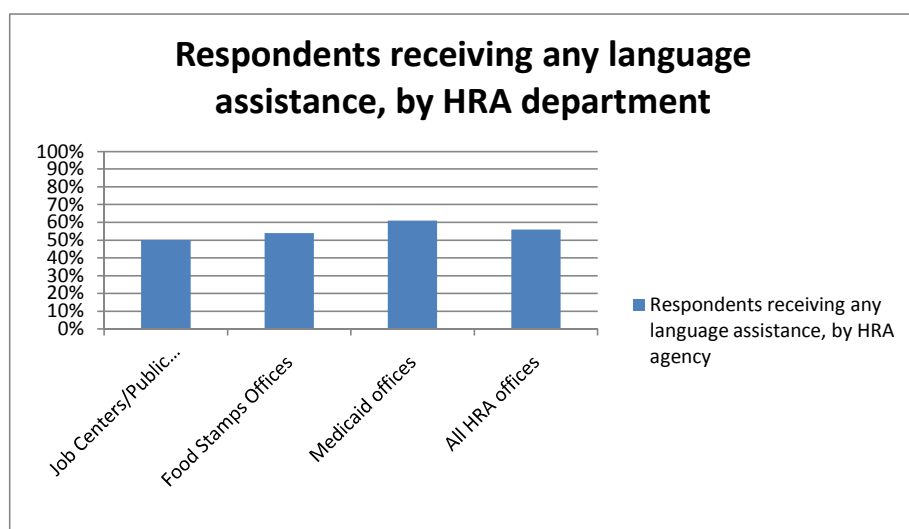
## Finding: Language access services are *not* equally provided at different HRA offices

In the following sections, the results of our study are broken down according to the three types of HRA offices surveyed: Food Stamps, Public Assistance and Medicaid offices.

- ❖ In general, the HRA is failing to provide sufficient mandated translation and interpretation services at all offices.
  - **54%** of clients at Public Assistance offices did not receive translated materials during their visit; **57%** of clients reported receiving no translated materials at Medicaid offices and **49%** reported receiving no translated materials during their visits to food stamp offices

- Overall, LEP clients fared worst at Public Assistance (job centers) offices and received the best services at Medicaid offices. However, Food Stamp offices were best at providing direct assistance.
- **50%** of clients at Public Assistance offices did not receive any communication services in their own language, while **39%** of clients reported receiving no services at Medicaid offices and **46%** reported receiving no services at food stamp offices

**Figure 6 Access to Any Language Services, Direct or Indirect by HRA department**



## Findings on Job Centers/Public Assistance Offices

Of the 109 clients interviewed at the 12 job centers, 11 of those interviewed were Urdu or Hindi speaking; 3 were Bengali-speaking; 1 was Korean-speaking; and 94 were Spanish-speaking.

Overall, the public assistance/job centers were the worst at providing services for LEP clients.

## HRA is failing to provide verbal communication services for LEP clientele.

- ❖ **62%** did not communicate directly with a staff member in their language
  - **50%** did not receive any help with communication in their own language

- **83%** did not see a sign in their language informing them of language access services
  - Only **6%** received help from an interpreter over the phone
- While **25%** had a regular caseworker, of these individuals only **56%** reported that their caseworker spoke their language

**HRA is also failing to provide written communication services for LEP clientele.**

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- ❖ Only **46%** of Public Assistance clientele received written materials in their language during their visits, of these only:
  - **54%** received an application form
  - **28%** received instructions as to how to apply
  - **34%** received instructions on how to use their benefits
- ❖ Only **34%** received materials in the mail after their visit

**Note: Some forms and applications issued by New York State rather than HRA may not be translated.**

The findings on job center/public assistance offices differed by borough, as shown in **Table 3** (next page). Given the number of surveys, however, these differences could have arisen by chance.

**Table 3 Survey Results for Job Centers/Public Assistance offices, by Borough**

	Manhattan	Brooklyn	Bronx	Queens	Staten Island
<b>Total Number of Client Surveys</b>	33	76	4	195	1
% receiving direct communication in their primary language	6 (18% )	39 (51% )	1 (25% )	99 (51% )	0 (0% )
% Received other language services	8 (24% )	40 (53 %)	2 (50%)	94 (48 )	0 (0%)
<b>Among those receiving language services</b>					
% Receiving language assistance in office	3 (38% )	28 (70%)	2 (100%)	58 (62%)	
% Receiving language assistance by phone	0 (0% )	6 (15% )	0 (0%)	36 (38%)	
Communication was clear	7 (88% )	34 (85% )	2 (100%)	84 (89%)	
<b>Regular Caseworker [CW]</b>	5 (15% )	16 (21%)	0 (0%)	35 (18%)	0 (0%)
Among those with regular CW, % saying CW speaks their primary language	2 (40% )	8 (50% )		26 (74%)	
Saw signs about language services	3 (9% )	29 (38% )	0 (0%)	72 (37%)	0 (0%)
<b>Received translated materials during visit</b>	7 (21% )	34 (45% )	2 (50%)	90 (46%)	0 (0%)
Among those receiving, % receiving translated Application	6 (86% )	8 (24% )	2 (100%)	56 (62%)	
Among those receiving, % received translated Information on applying	0 (0% )	18 (53% )	0 (0%)	21 (23%)	
Among those receiving, % received translated information on using service	0 (0% )	3 (9% )	0 (0%)	25 (28%)	
Among those receiving, % received other translation service	1 (14% )	3 (9% )	0 (0%)	10 (11%)	
<b>Received translated materials after visit</b>	4 (12% )	30 (39% )	0 (0%)	84 (43%)	0 (0%)
Among those receiving translated materials, % receiving all materials translated	0 (0% )	5 (17% )		35 (42%)	
Among those receiving translated materials, % receiving some materials translated	4 (17% )	25 (33% )	0 (0%)	49 (29%)	0 (0%)

## Findings on Medicaid Offices

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Of the 317 clients interviewed at the 15 Medicaid offices 33 of those interviewed were Urdu or Hindi speaking; 14 were Bengali-speaking; 50 were Korean-speaking; and 220 were Spanish-speaking.

Overall, the Medicaid offices fared better than the job centers on our measures of language access. Medicaid offices were nearly equal to Food Stamp offices at providing direct language assistance, Medicaid offices were better at incorporating both indirect and direct language assistance methods.

### HRA is failing to provide verbal communication services for LEP clientele.

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- ❖ **54%** of Medicaid clients did not communicate directly with a staff member in their language
  - **39%** did not receive any help with communication in their own language
  - **67%** did not see a sign in their language informing them of language access services
    - Only **14%** received help from an interpreter over the phone
  - **18%** had a regular caseworker, **64%** reported that their caseworker spoke their language

### HRA is also failing to provide written communication services for LEP Medicaid clientele.

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- ❖ Only **43%** of Medicaid clients received written materials in their language during their visits, of these only:
  - **54%** received an application form
  - **29%** received instructions as to how to apply
  - **21%** received instructions on how to use their benefits
- ❖ Only **38%** received materials in the mail after their visit

### Translated materials provided by Medicaid seem to be of higher quality than those provided by public assistance offices

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- ❖ **63%** of the clientele understood the materials they received, which is double the percentage who reported understanding materials they received at public assistance offices



### **Services at Medicaid offices varied significantly by borough.**

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The findings differed by borough, as shown in **Table 3 and Figure IV**. In the Bronx and Staten Island, there are too few surveys to draw any reliable conclusions. However, we can see that agencies in Brooklyn and Queens stand out as providing better language access than those in Manhattan.

- ❖ While approximately **50%** of clients in Brooklyn and Queens received direct communication in their languages, less than **20%** reported the same in Manhattan
- ❖ In Queens and Brooklyn, approximately **50%** received translated materials during their visit and around **40%** received them in the mail, while In Manhattan, only **21%** received translated materials during their visit and only **12%** received them by mail.

Table 3: Survey Results for Medicaid offices, by Borough

	Manhattan	Brooklyn	Bronx	Queens	Staten Island
<b>Total Number of Clients Surveyed</b>	33	76	4	195	1
% receiving communication in their primary language	6 (18%)	39 (51%)	1 (25%)	99 (51%)	0 (0%)
% Received other language services	8 (24%)	40 (53%)	2 (50%)	94 (48%)	0 (0%)
<b>Among those receiving language services:</b>					
% receiving language assistance in office	3 (38%)	28 (70%)	2 (100%)	58 (62%)	
% receiving language assistance by phone	0 (0%)	6 (15%)	0 (0%)	36 (38%)	
Communication was clear	7 (88%)	34 (85%)	2 (100%)	84 (89%)	
<b>Regular Caseworker [CW]</b>	5 (15%)	16 (21%)	0 (0%)	35 (18%)	0 (0%)
Among those with regular CW, % saying CW speaks their primary language	2 (40%)	8 (50%)		26 (74%)	
Saw signs about language services	3 (9%)	29 (38%)	0 (0%)	72 (37%)	0 (0%)
<b>Received translated materials during visit</b>	7 (21%)	34 (45%)	2 (50%)	90 (46%)	0 (0%)
Among those receiving, % receiving translated Application	6 (86%)	8 (24%)	2 (100%)	56 (62%)	
Among those receiving, % received translated Information on applying	0 (0%)	18 (53%)	0 (0%)	21 (23%)	
Among those receiving, % received translated information on using service	0 (0%)	3 (9%)	0 (0%)	25 (28%)	
Among those receiving, % received other translation service	1 (14%)	3 (9%)	0 (0%)	10 (11%)	
<b>Received translated materials after visit</b>	4 (12%)	30 (39%)	0 (0%)	84 (43%)	0 (0%)
Among those receiving translated materials, % receiving all materials translated	0 (0%)	5 (17%)		35 (42%)	
Among those receiving translated materials, % receiving some materials translated	4 (17%)	25 (33%)	0 (0%)	49 (29%)	0 (0%)

## Findings on Food Stamp Offices

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Of the 309 clients interviewed at the 17 food stamp offices 12 of those interviewed were Urdu or Hindi speaking; 2 were Bengali-speaking; 14 were Korean-speaking; and 281 were Spanish-speaking.

Overall, the food stamp offices fared the best of the three programs in terms of clients reporting receiving the most direct communication services but not in incorporating both direct and indirect assistance methods..

### HRA is failing to provide verbal communication services for LEP Food Stamp clientele.

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- ❖ **53%** did not communicate directly with a staff member in their language
  - **46%** did not receive any help with communication in their own language
  - **74%** did not see a sign in their language informing them of language access services
    - Only **3%** received help from an interpreter over the phone
  - **10%** had a regular caseworker, **63%** reported that their caseworker spoke their language

### HRA is also failing to provide written communication services for LEP Food Stamp clientele.

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- ❖ Only **51%** of Medicaid clientele received written materials in their language during their visits, of these:
  - **69%** received an application form
  - **43%** received instructions as to how to apply
  - **30 %** received instructions on how to use their benefits
- ❖ Only **37%** received materials in the mail after their visit

### **Services at food stamp offices varied significantly by borough.**

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The findings differed by borough, as shown in **Table 4**. For food stamp offices, the Bronx stood out, providing the best language access services and Manhattan has the worst services. There were too few surveys collected in Staten Island to draw any firm conclusions on services there.

- ❖ Over **70%** of clients in the Bronx reported receiving direct communication in their languages at the office and **84%** reported receiving translated written materials
- ❖ In Queens, over **50%** of food stamp office clientele received direct communication support in their own language and **45%** received written materials.
- ❖ **45%** of Brooklyn clientele also reported receiving written materials but only approximately **20%** received direct communication assistance.
- ❖ Manhattan clientele reported the worst results with only **30%** receiving direct communication in their own language at the office and **40%** receiving translated materials during their visit and only **12%** received them by mail.

**Table 4: Survey Results for Food Stamp Offices, by Borough**

	Manhattan	Brooklyn	Bronx	Queens	Staten <sup>29</sup> Island
<b>Total Number of Client Surveys</b>	75	56	68	96	3
Received direct communication in their language	22 (29% )	10 (18% )	49 (72% )	55 (57% )	3 (100% )
% Received other language services	17 (23% )	16 (29% )	8 (12% )	19 (20% )	1 (33% )
<b>Among those receiving language services:</b>					
% receiving language assistance in office	8 (47% )	12 (75% )	1 (12% )	12 (63% )	1 (100% )
% receiving language assistance by phone	3 (18% )	3 (19% )	0 (0% )	1 (5% )	1 (100% )
Communication was clear	15 (88% )	15 (94% )	7 (88% )	17 (89% )	1 (100% )
<b>Regular Caseworker [CW]</b>	10 (13% )	5 (9% )	1 (1% )	11 (11% )	1 (33% )
Among those with regular CW, % saying CW speaks their primary language	8 (80% )	3 (60% )	0 (0% )	6 (55% )	1 (100% )
Saw signs about language services	23 (31% )	14 (25% )	12 (18% )	24 (25% )	2 (67% )
<b>Received translated materials during visit</b>	29 (39% )	20 (36% )	57 (84% )	43 (45% )	1 (33% )
Among those receiving, % receiving translated Application	20 (69% )	12 (60% )	39 (68% )	31 (69% )	1 (100% )
Among those receiving, % received translated Information on applying	4 (14% )	6 (30% )	31 (54% )	24 (53% )	0 (0% )
Among those receiving, % received translated information on using service	3 (10% )	1 (5% )	27 (47% )	14 (31% )	0 (0% )
Among those receiving, % received other translation service	11 (38% )	2 (10% )	5 (9% )	3 (7% )	0 (0% )
<b>Received translated materials after visit</b>	28 (37% )	16 (29% )	29 (43% )	34 (35% )	1 (33% )
Among those receiving translated materials, % receiving All materials translated:	9 (32% )	8 (50% )	28 (97% )	25 (74% )	1 (100% )
Among those receiving translated materials, % receiving some materials translated:	19 (26% )	8 (15% )	1 (3% )	9 (12% )	0 (0% )

## New York Police Department (NYPD)

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The New York Police Department has jurisdiction over 8,274,527 people. It currently staffs approximately 34,500 officers. There are 76 precincts citywide.<sup>12</sup>

We interviewed 114 clients who interacted with the New York Police Department. For a summary of the findings see **Table 5**. Below are the conclusions drawn from the data.

### **NYPD is failing to provide adequate language access services.**

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*Despite New York City and State's legal obligations, under its own laws as well as Title VI of the Civil Rights Act, to provide translation and interpretation services to LEP individuals:*

**67% of survey participants reported not receiving ANY communication assistance** when interacting with the NYPD

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- ❖ Quality of indirect communication is extremely poor; with **88% of those receiving indirect services saying that communication with NYPD staff was NOT clear.**

### **NYPD is also failing to provide written communication services for LEP clientele.**

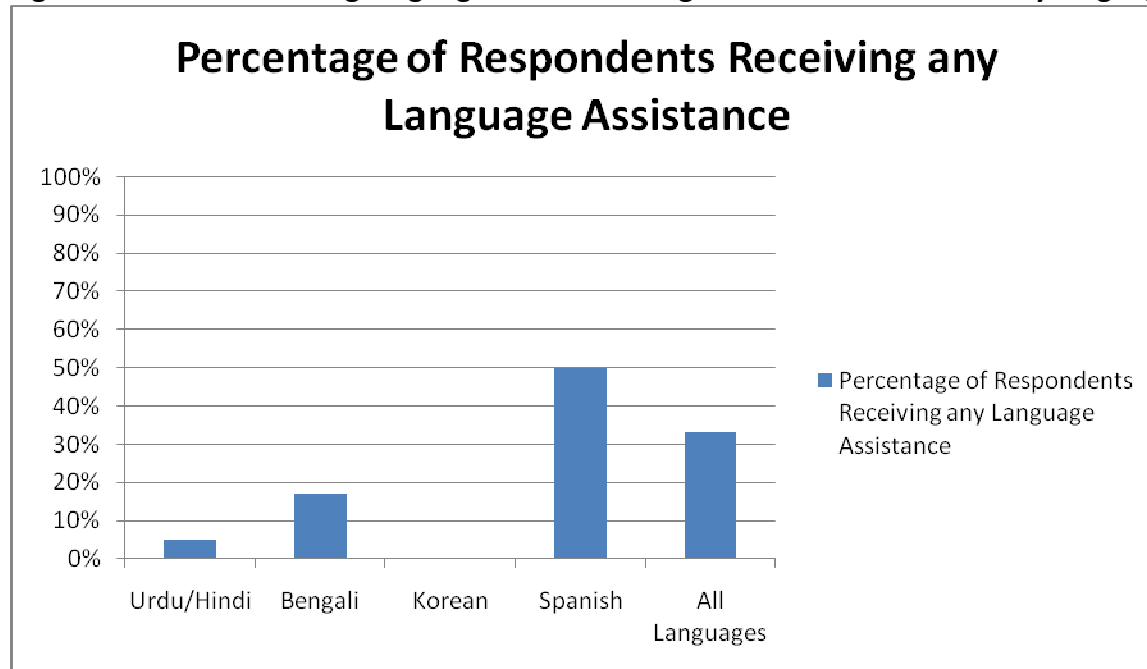
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- ❖ Only **15%** of survey participants received written materials in their language during their visits
  - Only **1%** of those surveyed received translated materials in the mail after their visit

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<sup>12</sup> New York Police Department Website, <http://www.nyc.gov/html/nypd/html/home/home.shtml>

**Figure 7. Percent receiving language services during interactions with NYPD by language**



**Table 5. Survey Results for New York Police Department**

<b>New York Police Department</b>	
<b>Total Number of Client Surveys</b>	114
% receiving direct communication in their primary language	31 (27% )
% receiving other language services	17 (15% )
<b>Among those receiving help</b>	
% receiving language assistance in office	14 (82% )
% Receiving language assistance by phone	5 (29% )
Communication was clear	2 (12% )
<b>Received translated materials during visit</b>	17 (15% )
<b>Received translated materials after visit</b>	1 (1% )



## Department of Housing Preservation & Development (HPD)

The New York City Department of Housing Preservation and Development (HPD) is the largest municipal developer of affordable housing in the nation. HPD's mission is to "protect the existing housing stock and expand housing options for New Yorkers as it strives to improve the availability, affordability, and quality of housing in New York City."<sup>13</sup>

We interviewed 53 clients who interacted with the Department of Housing Preservation and Development.

For a summary of the findings see **Table 6**. Below are the conclusions drawn from the data.

### HPD is failing to provide language access services as mandated by law.

*Despite New York City and State's legal obligations, under its own laws as well as Title VI of the Civil Rights Act, to provide translation and interpretation services to LEP individuals:*

**61% of survey participants reported not receiving ANY communication assistance** when interacting with the HPD

- ❖ Quality of indirect communication is extremely poor; with **82% of those receiving indirect services saying that communication with HPD staff was NOT clear.**

### HPD is also failing to provide written communication services for LEP clientele.

- ❖ Only **21%** of survey participants received written materials in their language during their visits
  - Only **8%** of those surveyed received translated materials in the mail after their visit

#### MEMBER STORY:

##### PAST LEP INTERACTIONS WITH HPD

Ms. M, a tenant in the Bronx, is an immigrant from Haiti, whose primary language is French. Ms. M has endured a number of housing violations in her apartment such water leaks and collapsed ceilings. Ms. M also has a variety of security concerns her building's main door is not secured, resulting in several break-ins. At no point did Ms. M feel she could call HPD and no inspector has ever been to her home. When asked about this she explained that she would call a city agency like HPD or 311 if she knew the correct entity to contact and if she felt confident that someone would be able to speak to her in her own language. She said that it was the language barrier and the lack of information that prevented her from calling HPD herself.

<sup>13</sup>Department of Housing Preservation and Development, *About the HPD*. Accessed at: <http://www.nyc.gov/html/hpd/html/about/about.shtml>.

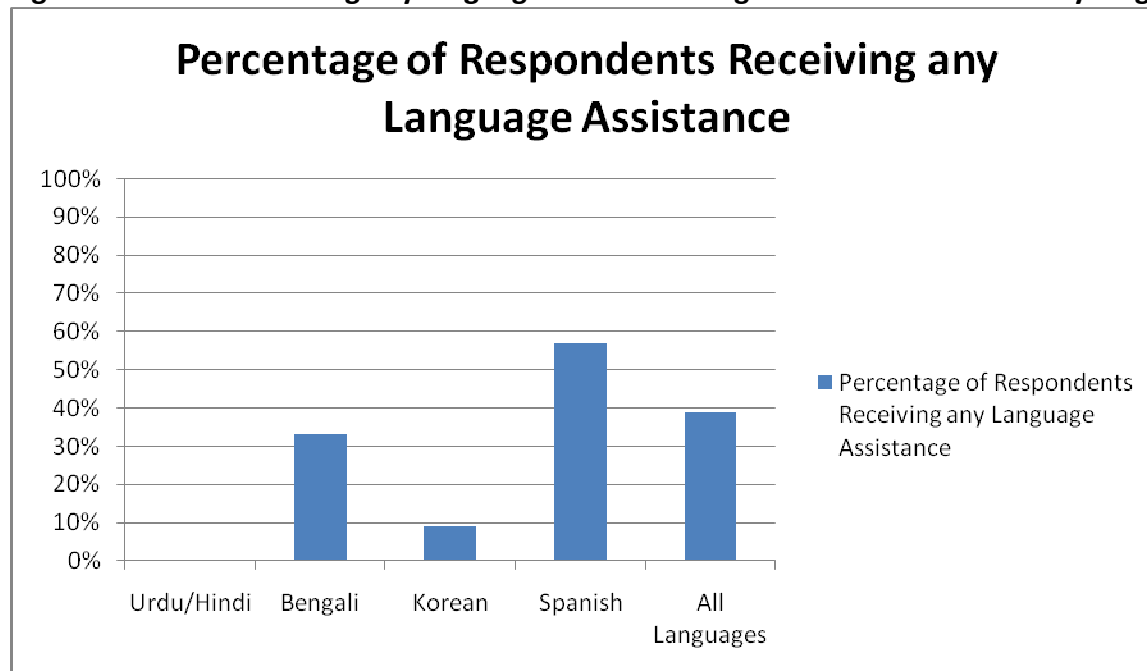
**Table 6. Survey Results for Department of Housing Preservation and Development**

Department of Housing Preservation and Development	
<b>Total Number of Client Surveys</b>	53
% receiving direct communication in their primary language	17 (32% )
% receiving other language services	11 (21% )
<b>Among those receiving help</b>	
% receiving language assistance in office	6 (55% )
% Receiving language assistance by phone	4 (36% )
Communication was clear	2 (18% )
<b>Received translated materials during visit</b>	11 (21% )
<b>Received translated materials after visit</b>	4 (8% )

### **Despite these poor findings HPD shows some signs of improvement.**

**39%** of respondents reported that they received some form of language assistance, either with a bilingual staff person or telephonic interpretations. In previous studies of HPD language access policies only 20% of the total respondents were able to communicate in their (non-English) primary language.

**Figure 8. Percent receiving any language services during interactions with HPD by language**



## Conclusions

### General Conclusions

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We recognize that Executive Order 120 and Local Law 73 are important indications of the effort that New York City officials and agencies are making to address immigrant needs. New York's diversity and size make it an incredibly hard place to govern; efforts to pass laws and implement policies tailored to address problems faced by the more vulnerable sectors of the city's population deserve appreciation in and of themselves.

That being said, the specific and general findings presented in this report clearly show that while substantive improvements have been made, the New York City government is still failing to enforce Local Law 73 and Executive Order 120. The general lack of services available for immigrants continues to make their interactions with city agencies difficult and daunting. As such, New York City agencies are currently in violation of Title VI of the Civil Rights Act in addition to local legislation and mandates.

### Detailed Conclusions

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- ❖ Signage informing limited English proficient individuals that language services were available was poor at nearly all HRA offices
- ❖ Respondents often reported not knowing that language access services were available or that they were entitled to them. Not knowing whether or not they would be able to understand what was required of them or communicated what they needed at the HRA office, people frequently brought interpreters with them.
- ❖ When immigrants were able to communicate with HRA staff in their own language at a government office, the quality of the communication was usually good. Quality was far lower during interactions with HPD and NYPD.
- ❖ Some of the HRA, NYPD and HPD offices were extremely intimidating for LEP clients. Problems frequently arose when clients interacted with security before interacting with agency staff. Among HRA sites, clients reported that hospital sites were the most welcoming.
- ❖ Generally, staff at all agencies failed to use language access tools like the telephone-based interpretation services (language line)
- ❖ There was a large disparity in quality and provision of language services among different linguistic groups; while Spanish speakers received relatively better services, Korean and South Asian language speakers overall reported receiving poor language services. South Asians reported longer wait times and several told interviewers that they were asked to return to the city office with their own interpreter at HRA offices. Koreans overall were

provided with the lowest quality service.

- ❖ Among HRA agencies, there was a large disparity in quality and provision of language services between HRA agencies. Clients were most likely to get language assistance at food Stamp offices and least likely at public assistance offices.
- ❖ There was substantial geographic disparity in quality and provision of language services between the boroughs. Agencies in Brooklyn and Queens stand out as providing better language access than those in Manhattan.
- ❖ At HRA offices, written materials were not equally available for all language groups—specifically, observers found that there were no written materials available in languages spoken by South Asians, and Korean written materials were of mixed quality-- for example, observers occasionally found that packets intended for Korean-speaking clients contained Chinese language documents. Far fewer individuals received written materials from NYPD or HPD staff. On those occasions translated materials were rarely provided.

## Recommendations

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Based on the conclusions presented throughout this report, we have developed the following recommendations which would help New York City government come into compliance with local and federal laws:

### **Increase Access**

- ❖ Develop roaming welcome/greeter personnel to help clients navigate the agency. This staff person would greet people as soon as they enter the building before going through security.
- ❖ Match LEP Claimants with bilingual caseworkers who speak their primary language. This can be done by permanently coupling LEP claimants and bilingual workers, or by creating standing pools of bilingual caseworkers who speak specific languages. When an LEP claimant arrives at an HRA office for an appointment, or to seek assistance, she should be automatically matched with a bilingual caseworker who speaks their language.
- ❖ Ensure that agency-generated documents are translated into client's language (covered languages) and that all interactions with agency staff are interpreted. Develop roaming welcome/greeter personnel to help clients navigate the agency. This staff person would greet people as soon as they enter the building before going through security.
- ❖ Provide equitable access to all forms, pamphlets, and fliers in all of the primary languages.
- ❖ Increase community outreach and public education
- ❖ Improve services to South Asian clients, maybe by focusing hiring efforts on individuals who speak relevant languages and/or have experience working with South Asian communities

### **Improve Signage**

- ❖ Signs indicating the availability of language access services should be larger and better placed; for example, at entrances (before security) and wherever clients routinely interact with staff.
  - iv. Audit signage throughout the facility in the next three months
  - v. Standardize adequate signage throughout facilities within six months
  - vi. Commit to conducting audits of facility annually.

### **Improve Staff Training**

- ❖ Provide agency staff with improved training on providing language access. Mechanisms may include, but are not limited to:
  - iv. Printed guides distributed to all staff
  - v. printed guides included in new staff training materials
  - vi. Annual trainings conducted for all staff
- ❖ Issue a training plan that will include the training of all frontline workers within one year (and at regular intervals thereafter) on:
  - iv. Agency language access policies
  - v. procedures to obtain interpreters/translated documents
  - vi. diversity and cultural competence issues

### **Increase Accountability**

- ❖ Issue a letters or directives from the Commissioners of HRA, HPD and NYPD stating:
  - vi. All LEP clients have right to interpreter
  - vii. No one should be told to bring someone to interpret with them
  - viii. If no bilingual staff available, use language line
  - ix. No one should be turned away because they cannot communicate in English
  - x. No one should be made to wait unreasonably long for an interpreter
- ❖ Add quality of provision of language access services to staff performance evaluations
- ❖ Create incentives for staff who use multiple language skills during the course of their work, and develop a training and certification system to ensure that agency staff are qualified to provide interpretation before they are tasked with interpretation duties.
- ❖ HRA agencies should institute an annual audit process to assess the provision of language services such as an on site “secret shopper” or random testing system. The Mayor’s Office of Operations should review the audit process and results.
- ❖ The Mayor’s Office of Operations should conduct an annual survey of patients to assess availability, quality and timeliness in the provision of language services.

### **Increase Transparency**

- ❖ Make public the names of the LESA Liaisons and post in all offices with contact information.
- ❖ Present advocates with a Monitoring Plan that will include, in addition to what is in Language Plan, a case file review. This would include the random review of 400 cases

citywide that are coded as LEP to determine compliance with LL73, including whether translated notices were sent over the past 6 months and whether interpreters were provided in-person and on the telephone. An additional 350 cases which are not coded as LEP should be reviewed to determine whether the cases were properly coded and whether language services and documents were provided in the client's language when appropriate.

- ❖ Commit to quarterly meeting with MRNY, NYIC, and other advocates to report on progress of the above steps.

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## HRA Response

In an effort to improve language access at their facilities, HRA staff met with MRNY and NYIC staff to discuss key findings and recommendations.

The following section details the Human Resources Administration's response to the conclusions and recommendations outlined in this report. In addition to the actions described below, HRA has expressed willingness to proceed with or explore additional report recommendations.

### Increase Access

- ❖ Access to language line for telephonic interpretation has been expanded over the past year
  - Over 1000 HRA staffers now have access to a telephonic interpretation access code.
  - Staff use of telephonic interpretation increased by 110% between July 2009 and April 2010. HRA reports an upward trend in each subsequent month.
- ❖ Client language tracking- Most HRA case management programs include mandatory fields which record clients preferred speaking and reading languages.
  - \* Although this tracking system is in place, on many instances, LEP clients do not get information in their native language while interacting with HRA.
- ❖ HRA committed to expanding outreach to immigrant communities through HRA sponsored local community information sessions and other events. They also agreed to partner with advocates and the Mayor's Office of Immigrant Affairs.
  - \* Although these commitments are encouraging we await more concrete plans for expanding community outreach and education.

### Improve Signage

- ❖ According to HRA, signage indicating their language access obligations are already standardized and audited by the Office for Refugee and Immigrant Affairs (ORIA) staff. ORIA's audit have deemed HRA's signage appropriate, however, the experience of those surveyed suggest otherwise. HRA has committed to improving LEP signage including welcome and directional signage.

\* HRA must ensure that signs that are targeted for LEP clients are not lost within the multitude of other signs in City offices.

### **Improve Staff training**

- ❖ In 2009 HRA revised Quarterly Training for staff and HRA police and contracted security staff on how to best serve LEP clients. In collaboration with the HRA Office of Refugee and Immigrant Affairs (ORIA), HRA program areas issue guides to staff on servicing in LESA clients. The guides are available online and in print.
- ❖ In 2009 HRA revised Quarterly Training for staff and HRA police and contracted security staff on how to best serve LEP clients. In collaboration with ORIA, HRA program areas regularly issue guides to staff on services in LESA clients. The guides are available online and in print.
- ❖ Working to improve translation. In 2009 HRA translated 1,907 documents into several languages.
- ❖ Starting in October 2009, HRA distributed over 11,000 new language access info cards which provide tips on servicing LESA clients and instructions for using interpretation services. Cards are available at the desk of every front line staff member.
- ❖ In October 2009, ORIA conducted a series of 10 briefings on EO120 with management staff for every client-contact area
- ❖ Beginning in November 2009, ORIA convened a committee of staff liaisons from each of 8 client areas. The committee meets twice annually to discuss LEP client access.

### **Increase Accountability**

- ❖ HRA has received some data from the Mayor's Office of Operations Customer Service Group's "Secret shopper" *Customers Observing and Researching Experience* assessment program and will continue to monitor its own program areas for implementation of LL73
- ❖ HRA has committed to sending a directive from Commissioner Doar, outlining agency policy, stating that HRA staff must provide language access to any client who seeks such help. On June 22, 2010, the directive, in the form of an all-staff memorandum was issued by HRA Commissioner Robert Doar in which he stated that providing language access is an HRA priority and reiterated a requirement for staff familiarize themselves with guidelines for serving LEP clients as described in an attached fact sheet. See *Appendix f. for a copy of the document.*

### **Increase Transparency**

- ❖ HRA has committed to quarterly meetings with MRNY, NYIC and other advocates to discuss LEP client access to their services.



## HPD Response

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In an effort to improve language access assistance provided by their agency, HPD staff met with representatives from MRNY and NYIC staff to discuss the report's key findings and recommendations.

The following section details the Department of Housing Preservation and Development's response to the conclusions and recommendations outlined in this report. In addition to the comments described below, HPD has expressed willingness to explore additional report recommendations.

### Report Methodology

HPD expressed concern regarding the HPD report's small sample size (53), noting that this sample covered less than .05% of the approximately 325,000 inspections and 60,000 re-inspections completed by the Department in fiscal year 2010. However, HPD agreed that there is more work to be done stating that "as with any service provided, there is room for improvement and continued review and that assessment of the provision of language access services is necessary".

*\*The report authors agree that sample size is small, and have consequently treated the results treated as a "snap shot", indicating general trends rather than an account of the exact percentages of language access service provision.*

### Public Education and Outreach

HPD's Office of Enforcement and Neighborhood Services expressed a continued desire to work with advocates "to educate non-English speaking citizens about their procedures for handling situations where language barriers exist, and the services and materials that are available to them." This was in response to a description of tenants who do not contact HPD because they do not know they have the right to language assistance.

### Below is a brief description of HPD's language access procedures:

- Complaints for housing maintenance conditions are accepted by 311, which utilizes language line to communicate with any and all calls which come into the call center. Through the 311 process, HPD is able to identify complaints submitted by households which do not speak English as the primary language. This information is helpful for HPD staff when routing complaints and providing information post-inspection.
- HPD employs 200 Housing Inspectors who are bi-lingual or multi-lingual and speak 29 different languages that can perform inspections. In some cases, where HPD Inspectors know that HPD office staff is able to provide translation services, those resources are utilized.
- Housing Inspectors carry cards (see attached) which they are instructed to use during an inspection where there is no one available to provide translation services. The document, with translations into 11 languages, asks the tenant if they would prefer to use a language line service to speak with the inspector. However, it is

important to note that Inspectors report that the following scenario occurs most often:

*Inspector M was assigned a route that took him to an apartment where tenant X had called in a complaint to 311. Tenant X was not proficient in English and when Inspector M offered the language access card which asks in 11 different languages if the tenant would like us to get a professional translator on the phone, tenant X declined. He then proceeded to call a relative on his cell phone, spoke to the person in his language and then handed the phone to the Inspector. The relative explained the situation to the Inspector, and acted as an interpreter.*

Tenants are more comfortable either calling someone they know to assist with translation, especially if they are calling about conditions they would be uncomfortable sharing with strangers.

- Documents such as the post-inspection informational pamphlet that HPD Inspectors provide at the conclusion of an inspection are available in 5 languages other than English and the Lead-Based Paint information pamphlet is available in English and Spanish. Inspectors are instructed to carry these documents for use where appropriate. HPD will continue to audit inspections to ensure that these documents are provided.
- The Office of Enforcement and Neighborhood Services provides 92 different pieces of literature, form letters, cards, brochures, e-learning courses, class room courses, videos and other materials that are translated into one to 14 different languages other than English.
- All HPD offices are equipped with dual handset phones for use with language line services. All offices also have prominently displayed posters indicating the availability of that service.
- The Division of Neighborhood Preservation has offered multiple Owners' Nights in languages other than English, including multiple sessions in Spanish, and sessions in Korean, Chinese and Polish. Approximately 800 homeowners have attended these informational sessions which is considered a significant turnout.

## **NYPD Response**

As of the date of publication we were unable to meet with NYPD and receive a formal response. This report will be amended following receipt of NYPD's formal response.

## **Appendix A: Methodology**

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MRNY and the NYIC created the Equitable and Effective Government Initiative to monitor and evaluate city government agencies' compliance with Local Law 73 and Executive Order 120. In April 2009, MRNY and the NYIC began to implement the Equitable and Effective Government Initiative with an evaluation of New York HRA offices compliance with the mandates established by Local Law 73 and Executive Order 120. In order to evaluate if the HRA is in compliance with mandates established by Executive Order 120, Local Law 73, as well as HRA's own Language Access Implementation Plan, LEP service recipients at job centers/public assistance offices, Medicaid offices, and food stamp offices across the five boroughs of New

York City and individuals who had interacted with HPD and NYPD were interviewed.

For this report we distinguished between direct language/communication assistance from alternate assistance methods. Direct communication assistance, for this report, is defined as instances where the primary agency staff person communicates directly with an LEP individual in the client's primary language. Other forms of language assistance include indirect methods such as telephonic interpretation and third party interpretation provided by agency staff. Although direct communication is the preferred language service provision method, indirect methods are also acceptable. Both direct and indirect assistance types are verbal and are distinguished from written materials presented to respondents before or after interactions.

To collect data on LEP individuals' interactions with the HRA, HPD and NYPD the NYIC created a survey instrument and an institution walk-through, onsite observation tool<sup>14</sup>. Trained representatives of MRNY, KCS, and SACSS conducted interviews at HRA offices around the city and conducted a walk-through study in which they assessed public notices and assistance for limited-English-proficient individuals. Interviews were also conducted with individuals who had interactions with HPD and NYPD. These surveys were conducted in varied locations including public spaces and community based organizations' offices. The purpose was to determine if clients whose primary language is Urdu/Hindi, Bengali, Korean or Spanish were receiving the language services they are entitled to under law.

### ***Survey Participants & Survey Methodology***

In total, KCS, MRNY and SACSS staff surveyed 680 service recipients at 35 New York City HRA offices. These recipients reported 735 separate visits to public agencies: 10 job centers/public assistance offices, 12 Medicaid offices, and 13 food stamp office. Of the 735 visits, 109 were at job centers, 317 were at Medicaid offices, and 309 were at food stamp offices (See Figure I). 33 walk-through site reviews were conducted at 23 sites. Multi-agency sites were assessed multiple times. The HRA survey targeted limited-English-proficient individuals whose primary language was Spanish, Korean, Bengali, or Urdu/Hindi and who sought or received services from the HRA since January 2009. The sample size of individuals interacting with HPD and NYPD was significantly smaller. 53 Individuals were interviews who had interacted with HPD and 114 who had interacted with NYPD. These surveys targeted limited-English-proficient individuals whose primary language was Spanish, Korean, Bengali, or Urdu/Hindi and who interacted with HPD or NYPD since April 2009. (See Figure 1.)

Both Korean and Spanish are "covered languages", meaning that Local Law 73 requires HRA to provide both translation and interpretation in these languages. The South Asian languages reviewed in this report, Urdu/Hindi and Bengali are not "covered languages" as defined by Local Law 73. EO120 gives agencies wide latitude in determining which six languages to select as covered languages, requiring agencies to provide services in these languages and others where

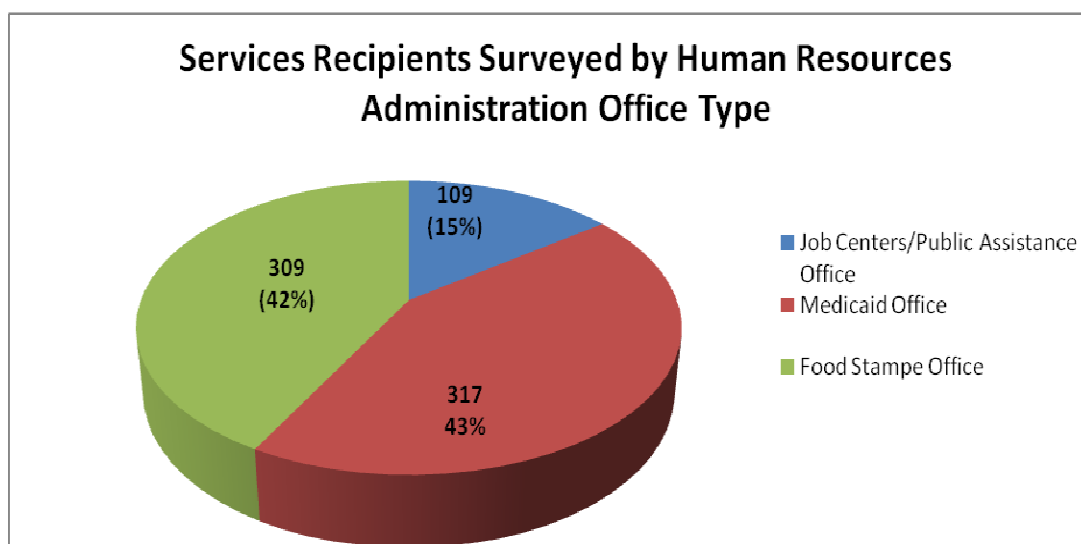
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<sup>14</sup> The institution walk through tool was modeled after an observation instrument created by Legal Services NYC

appropriate. This allows us to compare the experiences of clients whose primary language is a covered language (Spanish and Korean) from those that are not (Hindi/Urdu & Bengali).

We elected to couple Hindi & Urdu into a single category because, although distinct languages, Hindi and Urdu are similar enough that someone who speaks one language can generally speak and understand the other with ease. Therefore if a Hindi speaking client were served by an Urdu speaking agency staffer, we would credit the agency with providing adequate language access because the client had their needs met. Bengalis was not combined with the other South Asian languages because Bengali speakers are usually unable to speak either Hindi or Urdu.

**Figure 9 Surveyed Service Recipients by Human Resources Administration Office Type**



The survey targeted limited-English-proficient individuals whose primary language was Spanish, Korean, Bengali, or Urdu/Hindi and who sought or received services from the HRA since January 2009 (when the agency was to begin implementing its Language Access Plan under Executive Order 120 and the point by which its Language plan under LL 73 should have been completely implemented). For HPD and NYPD, the survey targeted individuals who had interacted with the respective agencies since April 2009, to reflect an expected delay in implementation by those agencies. The surveyed respondent was asked to provide basic demographic data including primary language, gender, date of birth, and zip code or borough. In order to determine whether the participating person was a limited-English-proficient individual, the survey asked if the participant felt comfortable speaking English when s/he sought information or services from the government.

If the person felt comfortable speaking in English, the survey was discontinued. Most of the survey respondents were Spanish speakers. However, we also collected information for three other language groups: Urdu/Hindi speakers, Bengali speakers, and Korean speakers (see Figure III for number of surveyed individuals by language type).

In the case of HRA surveys, if the survey continued, the participant was next asked to identify what kind of HRA office—Job Center/Public Assistance office, food stamp office, or Medicaid offices—s/he had visited. For all surveys, participants were asked, the date of their last visit or interaction, and the location of the office or interaction site. For each of the past interactions, a series of questions was asked about the language access services offered and received. The questions closely tracked the requirements mandated by Executive Order 120, including whether: documents distributed to the public were available in various languages; interpretation services were provided (telephonic or personal); employees were informed about the program; and, if signs were posted to alert limited-English-proficient individuals about available services.

The first questions asked regarded interpretation services offered during the interactions—specifically, whether an agency employee communicated to the participant directly in their own language or used some other method such as a telephone interpreter or the assistance of another HRA employee. If the person had spoken to someone from the agency in their own language, the person was asked whether that staff member had communicated clearly. Next, the participant was asked if they had seen any signs informing them that free translation or interpretation services were available.

Finally, a series of questions were asked about written documents they had received from the agency, either in the mail or in person, what kind of documents they were, and whether they were translated into their primary language. *See Appendices B through E for the survey and walkthrough instruments used in the field.*

### ***Analytical Strategy***

Data was entered into an Access database designed specifically for this project, and analyzed for frequency and percentage responses for each question. Open-ended questions were tabulated, and summarized where appropriate. Figures were calculated relative to the number of respondents per question, and considered in the context of the overall number of participants in the survey.

### ***Survey Limitations***

The relatively small sample sizes of the Korean and South Asian language speakers, as well as the small number of HPD and NYPD surveys limits the ability of this report to show the exact percentages of individuals actually receiving language assistance services, however the data clearly indicate the broad trends of language access service provision and the common experiences of limited English Proficient New Yorkers during their interactions with HRA, HPD and NYPD.

## Appendix B: Sample HRA Survey Instrument

Interviewed by \_\_\_\_\_ Date \_\_\_\_\_

Location \_\_\_\_\_

Survey Conducted in: [ ] Urdu/ Hindi [ ] Bengali [ ] Korean [ ] Spanish

### Interviewer Read:

*We are from the community based organization \_\_\_\_\_. Make the Road New York and we're conducting a survey to learn about your experiences using languages other than English at local public benefits offices. Can we ask you a few questions? Before we begin, I just want to let you know that all of the information you give us will remain confidential. We will not write down your name. No information about you will be shared with any government agencies. You may refuse to answer or skip any question that you do not feel comfortable answering, and we appreciate your honest responses. We hope that your answers will make your future visits to public benefits offices better. This survey will take 5-15 minutes. Would you like to continue?*

If YES: Continue

**If NO: Thank them for their time**

*Great! Thanks for agreeing.*

### Demographics

1. **(Circle the respondent's Gender. DO NOT ASK)** FEMALE MALE
2. What year were you born? \_\_\_\_\_
3. What zip code do you live in? \_\_\_\_\_ **[If the person does not know, or is hesitant to give their zip code, please ask for their Borough \_\_\_\_\_]**

### General

4. Do you feel comfortable speaking English when it comes to getting information from the government or seeking services?  
YES NO

☐

**If YES – end the interview politely. (We're only interviewing clients who can't get their needs met using English)**

5. Have you visited any of the following government benefits agencies since January 2009?  
☐ Job Center/Public Assistance **(If YES, skip to Question #6 on Page 2, do not ask about other agencies)**  
☐ Medicaid **(Continue to Question #15 on Page 4)**  
☐ Food Stamp **(Skip to Question #25 on Page 6)**

**If visit was before January 2009 for any particular agency, skip the survey for that agency.**

**If it was before 1/09 for all 3 agencies, OR if the person has NOT visited any agency, thank respondent for his/ her time and end the survey.**

### Job Center/Public Assistance

6. When was your most recent visit to this agency? (date) \_\_\_\_\_  
**[If the respondent is unsure ask them to give you just the month]**  
**If visit was before January 2009 for any particular agency, skip the survey for that agency**
7. Which Job Center/Public Assistance office did you go to for your last visit? **[Do not read list. Choose only one. If location is not on the list, write it in here: \_\_\_\_\_]**  
 QUEENS

- ☐ Jamaica: 165-08 88<sup>th</sup> Avenue (4<sup>th</sup> Floor)
- ☐ Queens (Includes Family Services Call Center Queens Satellite): 34-00 Northern Boulevard, Long Island City
- ☐ Rockaway: 219 Beach 59<sup>th</sup> Street

#### MANHATTAN

- ☐ Dyckman/Washington Heights: 4055 10<sup>th</sup> Avenue
- ☐ East End: 2322 Third Avenue
- ☐ Inwood: 530 West 135<sup>th</sup> Street
- ☐ Refugee: 2 Washington Street
- ☐ Riverview Annex/St. Nicholas (Includes Family Services Call Center Manhattan Satellite): 132 West 125<sup>th</sup> Street
- ☐ Union Square (Includes Senior Works Center, Intensive Services Center & Residential Treatment Services Center): 109 East 16<sup>th</sup> Street
- ☐ Waverly: 12 West 14<sup>th</sup> Street

#### BROOKLYN

- ☐ Bay Ridge: 6740 Fourth Avenue
- ☐ Bushwick/Williamsburg: 30 Thornton Street
- ☐ Coney Island: 3050 West 21<sup>st</sup> Street
- ☐ Dekalb: 500 Dekalb Avenue
- ☐ Euclid: 404 Pine Street
- ☐ Family Services Call Center Brooklyn Satellite: 275 Bergen Street (1<sup>st</sup> Floor)
- ☐ Linden: 45 Hoyt Street
- ☐ Refugee Annex: 98 Flatbush Avenue
- ☐ Riverview: 215 Duffield Street
- ☐ Veterans' Service Center: 25 Chapel Street

#### STATEN ISLAND

- ☐ Richmond: 201 Bay Street

#### BRONX

- ☐ Concourse: 1375 Jerome Ave.
- ☐ Rider: 305 Rider Ave
- ☐ Crotona: 1910 Monterey Ave.
- ☐ Melrose: 260 E. 161 St.
- ☐ Fordam: 2551 Bainbridge Ave.

#### During your last visit to this Job Center/Public Assistance office:

8. Did someone who works at the Public Assistance office communicate **directly** with you in your language?  
 YES                      NO
9. Did the Public Assistance office give you any other help with communication in **[respondent's language]** during your last visit?  
 YES                      NO  
 If YES, what kind?

- ☐ Someone who works at the Public Assistance office helped you speak with staff that does not speak your language
- ☐ Interpreter available by phone

**If YES,**

Did they communicate clearly with you in your language?

YES                      NO

10. Do you have a regular caseworker?

YES                      NO

**[If YES –Go to Question 11. If NO –Skip to Question 12]**

11. Does your regular caseworker speak your language?

YES                      NO

12. During your last visit to **that Public Assistance office** did you see any signs in your language informing you that language services or interpreters were available?

YES                      NO

13. During your last visit, did you receive any materials from the agency that were translated into your language?

YES                      NO                      N/A **[select if no materials received in any language]**

a. If YES, what materials did you get? **[Read list-- Check ALL that apply]**

- ☐ Application
- ☐ Instructions on how to apply
- ☐ Information about how to use Public Assistance
- ☐ Other

14. After your visit, did you receive any materials from the agency in the mail that were translated into your language?

YES                      NO                      N/A **[select if no materials received in any language]**

**If YES,** were ALL or SOME of the materials translated into your language

[ ] All                      [ ] Some

***Thank you for your time!***

### **Medicaid**

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15. When was your most recent visit to the Medicaid office?? (date) \_\_\_\_\_

**[If the respondent is unsure ask them to estimate the month. [If the most recent visit was before January 2009 for any particular agency, skip the survey for that agency.]**

16. Which Medicaid office did you go to for your last visit?? **[Do not read list. Choose only one. If location is not on the list, write it in here: \_\_\_\_\_]**

**(Note: Not Facilitated Enroller or other hospital based financial assistance office.)**

#### **QUEENS**

- ☐ Elmhurst Hospital: 79-01 Broadway (Room D4-17)
- ☐ Jamaica: 165-08 88<sup>th</sup> Avenue (6<sup>th</sup> Floor)
- ☐ Rockaway: 219 Beach 59<sup>th</sup> Street (2<sup>nd</sup> Floor)

#### **MANHATTAN**



- ☐ Bellevue Hospital: 462 First Avenue “G” Link (Ground Floor)
- ☐ Chinatown: 115 Chrystie Street (5<sup>th</sup> Floor)
- ☐ Columbia Presbyterian Hospital: 622 West 168<sup>th</sup> Street (1<sup>st</sup> Floor)
- ☐ Harlem Hospital: 530 Lenox Avenue—Ron Brown Building (1<sup>st</sup> Floor)
- ☐ Metropolitan Hospital: 1901 First Avenue (1<sup>st</sup> Floor—Room 1D-27)

## BROOKLYN

- ☐ Boerum Hill: 35 4<sup>th</sup> Avenue
- ☐ Coney Island: 30-50 West 21<sup>st</sup> Street
- ☐ East New York: 2094 Pitkin Avenue (Basement)
- ☐ Kings County Hospital: 441 Clarkson Avenue—“T” Building (1<sup>st</sup> Floor)
- ☐ Woodhull Hospital: 760 Broadway (Ground Floor)

## STATEN ISLAND

- ☐ Staten Island: 215 Bay Street

## BRONX

- ☐ Bronx Lebanon Hospital: 1316 Fulton Ave (1<sup>st</sup> Floor)
- ☐ Lincoln Hospital: 234 E. 149<sup>th</sup> St. (Basement Rm B-75)
- ☐ North Central Bronx Hospital: 3424 Kossuth Ave. (1<sup>st</sup> Fl. Room 1A-05)
- ☐ Jacobi Hospital: 1400 Pelham Pkwy. Ambulatory Care Pavilion-1<sup>st</sup> Fl)
- ☐ Morrisania: 1225 Gerard Ave (Basement)

**During your last visit to this Medicaid office:**

17. Did someone who works at the Medicaid office communicate **directly** with you in your language  
 YES NO

18. Did the Medicaid office give you any other help with communication in **[respondent’s language]** during your last visit??  
 YES NO

**If YES, what kind?**

- ☐ Someone who works at the Medicaid office helped you speak with staff that does not speak your language
- ☐
- ☐ Interpreter available by phone

**If YES,**

Did they communicate clearly with you in your language?  
 YES NO

19. Do you have a regular Medicaid caseworker?  
 YES NO

**[If YES –Go to Question 20. If NO –Skip to Question 21]**

20. Does your regular Medicaid caseworker speak your language?  
 YES NO

21. During your last visit to **that Medicaid office**, did you see any signs in your language informing you that language services or interpreters were available?  
 YES NO

22. During your last visit, did you receive any materials from the agency that were translated into your language?

YES                      NO                      N/A [select if no materials were received in any language]

a. If YES, what materials did you get?

- ☐ Application
- ☐ Instructions on how to apply
- ☐ Information about how to use Medicaid
- ☐ Other

23. After your visit, did you receive any materials from the agency in the mail that were translated into your language?

YES (All / Some)                      NO                      N/A [select if no materials were received in any language]

If YES, were ALL or SOME of the materials translated into your language

[ ] All                      [ ] Some

24. Have you visited any of the following public benefits agencies since January 2009?

- ☐ Food Stamp (Go to page 6)

**Thank you for your time!**

#### **Food Stamp**

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25. When was your most recent visit to this agency? (date) \_\_\_\_\_

**[If the respondent is unsure ask them to estimate the month, If visit was before January 2009 for any particular agency, skip the survey for that agency.]**

26. Which Food Stamp office did you go to? **[Do not read list. Choose only one. If location is not on the list, write it in here:**

#### **QUEENS**

- ☐ Jamaica: 165-08 88<sup>th</sup> Avenue (3<sup>rd</sup> Floor)
- ☐ Queens: 32-20 Northern Boulevard, Long Island City (4<sup>th</sup> Floor)
- ☐ Rockaway: 219 Beach 59<sup>th</sup> Street (1<sup>st</sup> Floor)

#### **MANHATTAN**

- ☐ Washington Heights/Dyckman: 4055 10<sup>th</sup> Avenue (Lower Level)
- ☐ East End: 2322 Third Avenue
- ☐ St. Nicholas/Riverview Annex: 132 West 125<sup>th</sup> Street (3<sup>rd</sup> Floor)
- ☐ Waverly: 12 West 14<sup>th</sup> Street

#### **BROOKLYN**

- ☐ Bay Ridge/New Utrecht: 6740 Fourth Avenue (1<sup>st</sup> Floor)
- ☐ Bushwick/Williamsburg: 30 Thornton Street
- ☐ Dekalb/North Brooklyn: 500 Dekalb Avenue
- ☐ Ft. Greene: 275 Bergen Street (1<sup>st</sup> Floor)
- ☐ Linden/Boro Hall: 45 Hoyt Street
- ☐ Brighton: 2865 West 8<sup>th</sup> Street (1<sup>st</sup> Floor)
- ☐ SSI/Residential Treatment Center: 253 Schermerhorn Street

#### **STATEN ISLAND**

- ☐ Richmond: 201 Bay Street

## BRONX

- ☐ Rider: 305 Rider Ave
- ☐ Crotona: 1910 Monterey Ave. 5<sup>th</sup> Floor
- ☐ Melrose: 260 E. 161 St. 4<sup>th</sup> Floor
- ☐ Fordam: 2551 Bainbridge Ave. 2<sup>nd</sup> Floor

**During your last visit to this Food Stamp office:**

27. Did someone who works at the Food Stamp office communicate **directly** with you in your language?  
YES NO
28. Did the Food Stamp office give you any other help with communication in **[respondent's language]** during your last visit?  
YES NO

If YES, what kind?

- ☐ Someone who works at the Food Stamp office helped you speak with staff that does not speak your language
- ☐ Interpreter available by phone

If YES,

Did they communicate clearly with you in your language?

YES NO

29. Do you have a regular caseworker?  
YES NO  
**[If YES –Go to Question 30. If NO –Skip to Question 31]**
30. Does your regular caseworker speak your language?  
YES NO

31. During your last visit to **that Food Stamp office**, did you see any signs in your language informing you that language services or interpreters were available?  
YES NO

32. During your last visit, did you receive any materials from the agency that were translated into your language?  
YES NO **[select if no materials received in any language]**

a. If YES, what materials did you get?

- ☐ Application
- ☐ Instructions on how to apply
- ☐ Information about how to use Food Stamp
- ☐ Other

33. After your visit, did you receive any materials from the agency in the mail that were translated into your language?  
YES NO N/A **[select if no materials received in any language]**

If YES, were ALL or SOME of the materials translated into your language

[ ] All [ ] Some

**Thank you for your time!**

## Appendix C: Sample NYPD Survey Instrument

Interviewed by \_\_\_\_\_ Date \_\_\_\_\_

Location of Survey \_\_\_\_\_

Survey Conducted in: ☐ Urdu/ Hindi ☐ Bengali ☐ Korean ☐ Spanish

### Interviewer Read:

We are from the community based organization \_\_\_\_\_. Together with the New York Immigration Coalition and Make the Road New York, we're conducting a survey to learn about your experiences using languages other than English with the NYPD. Can we ask you a few questions?

Before we begin, I just want to let you know that all of the information you give us will remain confidential. We will not write down your name. No information about you will be shared with any government agencies. You may refuse to answer or skip any question that you do not feel comfortable answering, and we appreciate your honest responses. We hope that your answers will make your future visits to government benefits offices better.

This survey will take 5-15 minutes. Would you like to continue?

If YES: Continue

**If NO: Thank them for their time**

Great! Thanks for agreeing.

### General

1. Do you feel comfortable speaking English when interacting with law enforcement officers?  
YES NO

**[If YES – end the interview politely. (We're only interviewing clients who can't get their needs met using English)]**

### NYPD

2. Have you interacted with a New York City police officer anytime since April 2009?

\_\_\_\_ Yes \_\_\_\_ No

- a. When was your most recent interaction with a NYPD officer? (date) \_\_\_\_\_

**[If the respondent is unsure ask them to estimate the month. If visit was before April 2009 for any particular agency, skip the survey for that agency]**

### During your last interaction with the NYPD:

3. Did any NYPD officers communicate **directly** with you in your language?  
YES NO

4. Did the NYPD officers give you any other help with communication in **[respondent's language]** during your last interaction?

YES NO

**If YES, what kind?**

- ☐ Someone who works for the NYPD helped you speak with officer that does not speak your language
- ☐ Interpreter available by phone

**If YES,**

Did they communicate clearly with you in your language?

YES NO

5. During this interaction, did you receive any materials from the NYPD that were written in your language?

YES                      NO                      N/A [select if no materials were received in any language]

6. After your interaction, did you receive any materials in the mail from the agency that were translated into your language?

YES                      NO                      N/A [select if no materials received in any language]

If YES, were ALL or SOME of the materials translated into your language

☐ All                      ☐ Some

#### **Demographics**

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7. (Circle the respondent's Gender. DO NOT ASK)      FEMALE                      MALE

8. What year were you born? \_\_\_\_\_

9. What zip code do you live in? \_\_\_\_\_

[If the person does not know, or is hesitant to give their zip code, please ask for their Borough \_\_\_\_\_]

**Thank you for your time!**

## Appendix D: Sample HPD Survey Instrument

Interviewed by \_\_\_\_\_ Date \_\_\_\_\_

Location of Survey \_\_\_\_\_

Survey Conducted in: ☐ Urdu/ Hindi ☐ Bengali ☐ Korean ☐ Spanish

### Interviewer Read:

*We are from the community based organization \_\_\_\_\_. Together with the New York Immigration Coalition and Make the Road New York, we're conducting a survey to learn about your experiences using languages other than English with the Department of Housing Preservation and Development (HPD). Can we ask you a few questions?*

*Before we begin, I just want to let you know that all of the information you give us will remain confidential. We will not write down your name. No information about you will be shared with any government agencies. You may refuse to answer or skip any question that you do not feel comfortable answering, and we appreciate your honest responses. We hope that your answers will make your future visits to government benefits offices better.*

This survey will take 5-15 minutes. Would you like to continue?

If YES: Continue

**If NO: Thank them for their time**

*Great! Thanks for agreeing.*

### General

- Do you feel comfortable speaking English when interacting with HPD staff?  
YES NO

**If YES – end the interview politely. (We're only interviewing clients who can't get their needs met using English)**

### HPD

- Have you interacted with an HPD staff person anytime since April 2009?

\_\_\_\_ Yes \_\_\_\_ No

a. When was your most recent interaction with an HPD staff person? (date) \_\_\_\_\_

**[If the respondent is unsure ask them to estimate the month]**

**If visit was before April 2009 for any particular agency, skip the survey for that agency**

### During your last interaction with HPD:

- Did any HPD staff communicate **directly** with you in your language?  
YES NO
- Did the HPD staff person give you any other help with communication in **[respondent's language]** during your last interaction?  
YES NO

**If YES, what kind?**

- ☐ Someone who works at HPD helped you speak with staff that does not speak your language
- ☐ Interpreter available by phone

**If YES,**

Did they communicate clearly with you in your language?

YES NO

- During this interaction, did you receive any materials from HPD that were written in your language?  
YES NO N/A **[select if no materials were received in any language]**

6. After your last interaction, did you receive any materials in the mail from the agency that were written in your language?

YES

NO

N/A [select if no materials were received in any language]

If YES, were ALL or SOME of the materials translated into your language

[ ] All

[ ] Some

#### Demographics

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7. (Circle the respondent's Gender. DO NOT ASK) FEMALE MALE

8. What year were you born? \_\_\_\_\_

9. What zip code do you live in? \_\_\_\_\_

[If the person does not know, or is hesitant to give their zip code, please ask for their Borough \_\_\_\_\_]

*Thank you for your time!*

## Appendix E: Sample Walkthrough Instrument

Date of Survey: \_\_\_\_\_

Name of Surveyor: \_\_\_\_\_

Surveyor's phone/ email: \_\_\_\_\_

Type of Office

- ☐ Medicaid
- ☐ Job Center/Public Assistance
- ☐ Food Stamp
- ☐ Police Department (Make the Road only)

Location: \_\_\_\_\_

1. Were there signs posted notifying applicants about the right to an interpreter/ translated documents?

\_\_\_\_ yes \_\_\_\_ no

Comments:

2. Please request an application packet in your preferred languages.

*Check languages application received in:*

\_\_\_\_ Spanish      \_\_\_\_ Korean      \_\_\_\_ Urdu/Hindi      \_\_\_\_ Bengali

Other responses:

- \_\_\_\_ Told to come back later
- \_\_\_\_ Told to go on-line/ check the internet
- \_\_\_\_ Told Translated applications unavailable
- \_\_\_\_ Had to wait for \_\_\_\_\_ (amount of time) to receive translated application in \_\_\_\_\_ language.

Comments:

3. **Ask whether an interpreter will be available if you come back with a client who speaks**

\_\_\_\_\_ (your language). What was the agency's response? Please check all that apply:

- \_\_\_\_ Told an interpreter would be made available immediately
- \_\_\_\_ through use of Language Line
- \_\_\_\_ through use of bilingual staff
- \_\_\_\_ other (please explain):
- \_\_\_\_ Told would have to wait for a bilingual staff interpreter. Wait would be approximately \_\_\_\_\_ (amount of time).
- \_\_\_\_ Told would have to wait for a Language Line interpreter. Wait would be approximately \_\_\_\_\_ (amount of time).
- \_\_\_\_ Told to bring someone who can interpret
- \_\_\_\_ Told to use someone from the waiting area
- \_\_\_\_ Told to come back later

Other comments about your experience:



## Appendix F: Memorandum from Commissioner Doar




W-1  
Rev. 3/08

Robert Doar  
Commissioner

### MEMORANDUM

180 Water Street  
New York, NY 10038  
212 331 6000

**DATE:** June 22, 2010  
**TO:** All Staff  
**FROM:** Robert Doar, Commissioner   
**SUBJECT:** Language Access Services

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Providing language access services for clients with limited English-speaking ability (LESA) continues to be a priority at HRA, and over the past several years we've made significant progress in implementing new trainings, technologies, and procedures to support our language access goals. Since Executive Order 120 was signed in 2008, the agency's use of telephonic interpretation has grown dramatically, and this year close to 8,000 frontline workers will be trained twice in language access services. In addition, HRA staff members often provide their own language skills to assist clients.

While I am confident that language access-related services are being correctly provided in almost every instance, I want to take this opportunity to remind you of the importance of our mandates. Attached you'll find a fact sheet, developed by the Office of Refugee and Immigrant Affairs (ORIA), that covers our major responsibilities in serving LESA clients. Please make sure you are familiar with these points.

If you have any questions, please contact the Office of Refugee and Immigrant Affairs at 212-331-4550. Thank you for all your continued hard work and cooperation.

### **HRA Language Access Fact Sheet**

- All individuals, including those with Limited English Speaking Ability (LESA), who request services from HRA must be treated respectfully and professionally;
- All LESA clients have the right to free interpretation services provided by HRA and should never be turned away – language should never be a barrier and interpreters are always available in over 180 languages through Language Line Services;
- LESA individuals should never wait unreasonably longer than English-speaking individuals for the same services;
- Even if a client does not ask, if it appears that they do not understand English or are not comfortable speaking English, always offer interpretation services;
- If you do not understand what clients are saying, HRA staff should also use interpretation services for your own comprehension;
- LESA individuals *can* bring someone to interpret for them (as long as they are not minors), but do not have to do so;
- Certain City notices and State forms, including the common application for benefits, are translated into Arabic, Chinese, Haitian-Creole, Korean, Russian, and Spanish. Please offer those forms and ensure they are available;
- Staff with language skills are invited to obtain certification in one of six languages (Spanish, Chinese, Russian, Haitian-Creole, Korean and Arabic) by taking a free test administered through the Office of Refugee and Immigrant Affairs (ORIA) which can be reached at 212-331-4550;
- HRA staff should use all of the resources, policies, and procedures provided which are often available on the Intranet. One particularly helpful tool is the “Language Access Info Card”;
- For complete information, please refer to your program’s official procedures regarding serving LESA clients, where applicable. If you have a question, contact your Manager or ORIA.